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THE EAST INDIA COMPANY: 1600-1858

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Edited by Patrick Tuck

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TRADE

*William Foster*

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CONSIDERATIONS ON INDIA AFFAIRS

*William Bolts*

A VIEW OF THE RISE, PROGRESS AND PRESENT STATE OF  
THE ENGLISH GOVERNMENT IN BENGAL

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1784–1834

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INDIA AFFAIRS

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# INTRODUCTION

*Patrick Tuck*

As the East India Company entered the main phase of its transition from being an essentially commercial operation to becoming an Asiatic state, it was to undergo close parliamentary scrutiny and pressure for reform. A prolonged crisis which culminated in the passage of Lord North's Regulating Act of 1773 was to be the product of financial problems and administrative scandals arising from the Company's unwilling assumption of political control over Bengal in the mid-1760s. Government intervention in the Company's affairs in 1772-3 was preceded by accusations of corruption and mismanagement in Bengal, and the two books reprinted in this volume were major contributions to the public controversy. Although Lord North's decision to impose reforms on the Company was mainly prompted by the revelation, in September 1772, that the Company was virtually bankrupt, the content of the ensuing Regulating Act was to reflect responses to many of the issues previously raised by the Company's critics.<sup>1</sup>

## THE CRISIS IN BENGAL

During the seventeenth century the Company had been essentially a commercial concern, conducting a trade with India from fortified coastal factories, and subject to levies and restrictions imposed by the Mughal court and by the rulers of provinces in which trade was being conducted. As Mughal power declined in the first half of the eighteenth century, British efforts to overcome French competition in the Carnatic led them to interfere with the succession to the throne of Arcot, accentuating the Company's political influence in the province during the 1750s. But direct intervention in the Carnatic's administration had been avoided. In Bengal, too, after Robert Clive's

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victory at the battle of Plassey in 1757, the Company acquired effective political ascendancy. Here, as in the Carnatic, the directors remained keen to avoid the responsibilities of government. Declining to convert practical dominance into formal control, the Company exercised its influence in Bengal through the medium of military and financial agreements with Mir Jafar, Clive's nominee as ruler. When Mir Jafar appeared incapable of effective administration, or of meeting external threats to Bengal, the Company replaced him as nawab by his nephew, Mir Kasim, in 1761. However, the administrative problems facing Mir Jafar were no more successfully resolved by Mir Kasim for they were, in large part, an effect of the transfer of political influence to the Company, and of the abuse of this influence by its own servants in Bengal. The old machinery of parliamentary charters and factory regulations proved incapable of controlling the opportunism of Company servants, who exploited their enhanced status by abusing Company tax exemption privileges in pursuit of private trading ventures. Through their *banyans*, or stewards, and in association with *gumastas*, or agents, Company servants were linked to networks of Indian commercial interests. By deploying *dastaks*, or customs-exemption passes, Company officials, in their capacity as private traders, together with their indigenous associates, came to compete on a large scale and on unfair terms with independent Indian merchants for dominance of the inland trade. By 1762 Mir Kasim, unable to tax trade effectively and bent on strengthening his military and administrative power, complained fruitlessly to the governor in Calcutta that the abuse of tax exemptions by Company servants was making Bengal ungovernable.

The undermining of native administration by the corruption of Company servants and their indigenous commercial auxiliaries led to a fierce reaction from Mir Kasim, who joined with the Mughal Emperor, Shah Alam, and with Shujah ud Daula, nawab of the neighbouring state of Awadh [Oudh], to expel the Company from Bengal. The destruction of this combination by Sir Hector Munro at the battle of Baksar in October 1764 reaffirmed the Company's political dominance. But the conflict left the Company in financial straits, with only the moribund figure of Mir Jafar, re-established as nawab, through whom to ensure orderly government. Upon Robert Clive's return to Bengal as governor in 1765, the problem of restoring stable administration was finally addressed by instituting a rudimentary form of shared, or 'Dual', government. On Clive's recommendation, the Company assumed full control of financial administration by taking over the *Diwani*, the old

Mughal revenue system. Mir Jafar had died, and responsibility for the *Nizamat*, the maintenance of law and order, remained with the new nawab, Najim ud Daula, in return for an annual revenue assignment.

The assumption of the *Diwani* represented the first step towards formal administrative control. In view of the Company's chartered rights of monopoly over trade, the assertion of control over revenue administration raised dangerously optimistic expectations of increased profit on the part of the Company's shareholders, and led the Company to adopt unsound financial procedures.<sup>2</sup> The new arrangement also generated a further range of difficulties in controlling the corruption of the Company servants. Clive had assumed rights over revenue collection without adequate administrative resources. Not only did writers and factors, and their *gumastas*, expand their abuse of Company tax-exemption privileges in their private trading activities, but the creation of a handful of 'collectors' to supervise the levying of taxation opened up further opportunities for corruption. Clive attempted to reduce such temptations by issuing shares in an inland 'Society of Trade', based on the monopoly of salt, betel nut and tobacco. Dividends from this official enterprise were intended to supplement the small official salaries of factors and councillors, compensating them for the loss of corruptly derived profits. This venture was curtailed within two years by the directors, leaving Company servants to fend for themselves, as before, through licensed private trading and abuse of Company *dastak* privileges. Clive sought to resolve other aspects of the problem of corruption in autocratic style. Company servants had been obliged to sign new covenants pledging themselves to refrain from receiving presents from native authorities. Those who declined to sign were forced to resign the service and were, in many cases, expelled from India. Clive dealt as summarily with the Company's military officers who resisted other directives such as the abolition of double *batta*, or extra field allowances, to officers not on campaign. A mutiny organised by senior officers at Monghyr against this particular measure was met by the court martial of the principal offender, followed by the expulsion of a number of officers from Bengal. Opposition on the Bengal council to Clive's disciplinary measures was met by the governor with peremptory demands for the resignation of disgruntled officials. There were numerous departures, and Clive instituted legal proceedings against several servants who had infringed recent regulations, and ordered the seizure of the Bengal property of some of these.<sup>3</sup> As a result, a stream of discontented servants began arriving in England



in the later 1760s, ready to express their grievances against Clive and the Company through the courts and in the press.

After Clive's departure for London in 1766, further problems accumulated to confront Harry Verelst, his successor as governor. Disappointing revenue returns from the first collections of the *Diwani*, together with the costs of the first war with Mysore in 1767–9, and the effects of the devastating Bengal famine of 1769–70, combined to place a considerable strain on the Company's financial resources. Verelst also faced the continuing problem of corruption among Company servants and, following Clive's example, used expulsion as a weapon of last resort. As the Company's financial crisis in India deepened, it became evident to the directors that expectations of profit from the assumption of the *Diwani* had been grossly inflated. The Direction nevertheless concealed the Company's critical financial condition from the public, and responded to factional pressure to continue declaring unwarrantably high dividends. Some attempts at structural reform were attempted. In 1766 the government had intervened through the medium of a general enquiry into the Company's affairs, but this resulted, not in reform, but in an agreement with the ministry for an annual levy of £400,000 on the Company's profits. In 1769 the Company attempted an innovation by despatching three 'supervisors' to India to coordinate and control the Company's local activities 'as if the Court of Directors were . . . present upon the spot'.<sup>4</sup> But their ship was lost en route and the supervisors were not replaced. Finally, preparations afoot since 1770 for judicial reforms were overtaken by a banking crisis early in 1772, which placed an intolerable strain on the Company's liquidity. By September it was forced to suspend the declaration of the annual dividend. The Company's subsequent approach to the government for the remission of the annual levy of £400,000 was, effectively, a confession of insolvency. This instigated the first major attempt by the government at restructuring the Company's administration in order to eliminate corruption, stabilise its direction, and increase its public accountability.

The controversy covered by this volume antedated the climax of this crisis by several months, and contributed substantially to the growing public impression of mismanagement and corruption in the Company's affairs. The public controversy was initiated by William Bolts' *Considerations on India Affairs*,<sup>5</sup> of which Edmund Burke remarked that '[the work] certainly has the merit of being the first that turned the national attention to the state of our affairs in the

East Indies'.<sup>6</sup> As Horace Walpole, a keen observer of political affairs, remarked in his journal:

The oppressions of India, and even of the English settled there, under the rapine and cruelties of the servants of the Company, has now reached England, and created a great clamour here. Some books had been published, particularly by one Bolts . . . a man of bad character . . . [who] . . . represents [Lord Clive] as a monster in assassination, usurpation and extortion, with heavy accusations of his monopolizing in open defiance of the orders of the Company . . . To such monopolies were imputed the late famine in Bengal, and the loss of three millions of the inhabitants. A tithe of these crimes was sufficient to inspire horror.<sup>7</sup>

#### WILLIAM BOLTS, 1735–1808

Accounts of William Bolts' origins tend to conflict. He has been described by some writers as Dutch and by others as German. His parentage may have been German, since his father had been born in Heidelberg. Bolts himself was born in Holland in 1735. He appears throughout his career to have exploited the uncertainty surrounding his national status. Although he described himself as English by upbringing, he did not arrive in England until 1749 at the age of fourteen, and he was later to deny that he had ever been a subject of the British Crown. In later life he became an Austrian colonel and a subject of the Empress Maria Theresa. In England he was apprenticed in a merchant's office until c.1753–4, when he moved to Lisbon, possibly to work in an English agency house. He had had a cosmopolitan education, and spoke and wrote fluently in English, German, Dutch, French and Portuguese. In India he taught himself Bengali. By the time he joined the English East India Company as a factor in 1759, he was, as a contemporary pamphleteer put it, 'a full grown mercantile monster'.<sup>8</sup> By training, character and abilities, he was well equipped to seize the opportunities opening up to Company servants in the inland trade of Bengal. Not only did he show few scruples in his own commercial dealings, but he had acquired some knowledge of law, a facility for moralising eloquence, and a highly articulate and effective writing style. These were qualities which he was display to advantage in defending his interests against Company prohibitions in the courts, and attacks in parliament and the press.

*Bolts' career in India, 1760-8*

Normally, the first rung of the ladder in the Company's service was an appointment as writer at the age of fifteen. Owing to a temporary scarcity of qualified applicants, Bolts was appointed a factor of the Company at the advanced age of twenty-five. As a Company servant, Bolts' private trading activities were to involve all the abuses which the current governor, Henry Vansittart (1760-4), was trying to restrain, but in which other members of the Company's council at Calcutta indulged. Shortly after arriving in Bengal in 1760 Bolts formed a commercial association with two more senior factors, John Johnstone and William Hay, both members of the governor's council. The new firm, a private commercial enterprise shared on equal terms, dealt in woollens and other British staples, together with saltpetre, opium, cotton and diamonds. In 1761 the partners began speculating in land. Under Bolts' management the enterprise began flouting Company directives. In 1762 Bolts breached regulations forbidding correspondence with native rulers by addressing a threatening letter to the nawab of Purnea in protest against obstructions offered to the dealings of his agent, Ram Charan Das. Later, when the partnership's *gumastas*, or native agents, were accused of oppressing native traders in saltpetre, the governor, Henry Vansittart, obtained information of their proceedings, and addressed complaints to the council against Bolts, to which his partners on the council responded on 14 January 1763. They protected Bolts by assuming joint responsibility for his actions, and by criticising the underhand methods by which information against him had been obtained. The defence of Bolts by Hay and Johnstone secured his vindication by the council. However, Bolts lost the local protection of his partners over the following two years. William Hay was killed in the Patna massacre in October, 1763. In 1765 John Johnstone was forced off the Council by Governor Vansittart, and after a brief return, was cornered into resigning by Vansittart's successor, Robert Clive.<sup>9</sup>

Johnstone's dispute with Clive was significant for Bolts' future, for Johnstone had influential connections among the East India Company's proprietors, and two of his brothers sat in parliament. The main issue between Clive and Johnstone concerned the receipt of presents. Shortly before Clive's return to Bengal as governor in 1765, Johnstone, as a senior member of the Council at Calcutta, together with the temporary governor, John Spencer, had negotiated the succession of Najim ud Daula to the throne of Bengal in return for a large present in cash. Clive, on his arrival, had forced both

councillors to renounce this gift under the terms of the Company's new covenants of employment forbidding receipt of presents. Johnstone then criticised Clive's own receipt of gifts, particularly his acceptance of the *jaghir*, an annual rental of £30,000 conferred in 1759 by Mir Jafar.<sup>10</sup> Clive proceeded to order the confiscation of all Johnstone's property in Bengal and encouraged the directors to prosecute Johnstone for corruption and illegal trading. Bitterly hostile to Clive, John Johnstone returned to England to join his brothers, George and William, in forming, in the Company's Court of Proprietors, a significant faction which aimed at taking control of the Company's Direction in order to destroy Clive's influence. Although Johnstone's departure deprived Bolts of protection on the council at Calcutta, it secured him remoter, but far more powerful, support in England.

Locally Bolts' position became increasingly precarious during Clive's governorship. He fell under suspension in August 1766 for refusing to obey an order to return from Benares to Calcutta. Pressed to sign a covenant undertaking not to indulge in private trade in inland Bengal, and embroiled in a petty dispute with the council over expenses, he finally resigned from the Company's service in November 1766 in order to concentrate on his commercial interests as a private trader. Providently, he had entrenched his right to reside in Bengal by securing appointment for life as an Alderman of the Mayor's Court at Calcutta. But his continued indulgence in private trade was considered to be illegal without a Company licence, and he was ordered to leave Bengal in January 1767.<sup>11</sup>

Bolts obtained permission for delay to wind up his affairs, but instead used the time to expand his commercial operations. He continued to trade, playing for time in the hope, it seems, that Johnstone's influential clique in the Direction would quash the council's expulsion order. In the process, he added to the list of his misdemeanours. When Ramnaut, an agent and associate of Bolts, accused Clive's trusted *banyan*, Nobkissen, of rape on the basis of forged evidence, the forgery was discovered and Bolts was implicated. This prompted the governor's council to order his immediate exclusion from Bengal in April, 1767, but Bolts ignored the order. Then in June 1767 a report was received by the new governor, Harry Verelst, alleging that Bolts, now at Dacca, had been intriguing with the president of the *Vereenigde Oostindische Compagnie's* factory at Chinsurah to help supply the Dutch with goods for their annual investment. The serious accusation of assisting foreign competitors against the English Company's interests and in breach of its

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monopoly was followed by the an even more damaging revelation. Private traders were expressly forbidden by the Company to communicate with native rulers, and Bolts was further discovered to have been writing to the nawab of Awadh, through M. Gentil, the nawab's French adviser, to discredit the Company politically in order to obtain commercial favours. When in early 1768 the Company obtained a copy of Bolts' letter of 17 June 1767 to Gentil asserting that the Company's affairs were in chaos and claiming that his associate, John Johnstone, was soon to be appointed governor, Verelst and his council at Calcutta were incensed, and renewed the order for Bolts' eviction from Bengal on 18 April 1768. However, the Company's legal right to expel an Alderman of the Mayor's court was questionable, and the council hesitated to order his arrest. Bolts played upon the legal uncertainty by petitioning the Grand Jury of the Quarter Sessions court at Calcutta on 27 May 1768, citing a variety of authoritative legal opinions to support his case for continued residence. Governor Harry Verelst finally overcame his doubts in the summer of 1768, and on 13 September ordered Bolts' seizure and forcible deportation by Captain Purvis of the *Valentine*.<sup>12</sup> Prior to this, by Verelst's orders issued in March, 1768, Bolts' Armenian *gumastas*, Coja Gregore, Coja Melcomb, Coja Rafael and Coja Estevan, who had been conducting business in Awadh on their own as well as on Bolts' behalf, had been arrested and imprisoned at Murshidabad. The arrest of Bolts' Armenian agents led to the loss of substantial quantities of their own trade goods, giving them a sound case in law against Verelst, which they eventually pursued, with Bolts' assistance, in England. In the meantime, the directors strongly endorsed Verelst's decision to expel Bolts:

[Mr Bolts'] conduct has been distinguished by a tenacious adherence to those pernicious principles relative to the rights of inland trade, in which he appears to have been so conspicuously oppressive – by repeated instances of disobedience to his superiors abroad – and above all by the basest ingratitude to the Company under whom he had acquired an ample fortune, in exposing their secrets to Mr Gentil at Sujah Dowlah's court and to his agents at other Indostan courts, which we look upon in the light of a high crime and misdemeanour. Under these circumstances you were warranted in pursuing the most speedy and effectual measures for freeing the country of so dangerous a member of Society . . .<sup>13</sup>

*Bolts in England, 1769–75**The Johnstone faction*

On his return to England in 1769 Bolts joined the Johnstone faction in its campaign against Clive and Verelst in the press, parliament and the courts, a campaign which extended intermittently from 1769–74. Bolts' return coincided with that of Lt John Petrie, an old associate of Johnstone,<sup>14</sup> and one of the officers cashiered and expelled by Clive after the so-called 'batta' mutiny of 1766. Allowed time to wind up his affairs, Lt Petrie had embarked on a gun-running enterprise, and in the interval he had accumulated documentation on Clive's alleged monopolies and frauds. At first, Bolts, the Johnstones and Petrie deployed their accusations separately and with some caution. Bolts aired his grievances in articles in the press in 1769, and assembled them into an unremarked pamphlet issued the same year.<sup>15</sup> In 1771 John Johnstone's brother, George, published an anonymous pamphlet against Clive containing evidence supplied by Bolts and Petrie. Petrie himself then drew up a documented list of accusations against Clive which he proceeded to lay before the directors in December, 1771.<sup>16</sup> Finally Bolts brought out his *Considerations on India Affairs*, probably in March 1772, which contained elements of all the previous accusations, and was supported by a heavily documented appendix. This publication coincided with the appearance of an independent critique of the Company's mismanagement written by Alexander Dow, another of the officers cashiered by Clive, as a 'prefix' to the third volume of his *History of Hindostan*.<sup>17</sup>

*Bolts' Considerations on India Affairs* <sup>A</sup>

Bolts' *Considerations* was the most notorious and widely read of the critiques to appear. Ralph Leycester, another Company servant forced by Clive to resign from the council at Calcutta, wrote to Warren Hastings from London in March 1772 to report that Bolts' book 'is swallowed very greedily by the public whose eyes are fixed on the correction of these abuses by the interposition of parliament.'<sup>18</sup> The book was immediately excoriated for its scurrilous inaccuracy by Company servants experienced in Indian affairs. Hastings himself wrote to the chairman of the directors condemning the 'abominable untruths, base aspersions and absurdities' of Bolts' work, which, he added, 'is such a medley of nonsense as well as falsehood, as must

disgust any unpassionate reader.<sup>19</sup> However, Bolts and Dow's allegations were addressed to a readership unfamiliar with India, and public perception of the Company's activities was profoundly influenced by them. Actively promoted by the Johnstone campaign, Bolts' work appeared in serialised form in the press and in periodicals. Excerpts, for instance, were printed for the *London Magazine* under the title 'The nature and defects of the constitution of the East India Company'.<sup>20</sup>

### *Bolts' accusations against Clive and Verelst*

Bolts' book, though posing as an appeal for reform, was mainly intended as a vehicle for personal attacks on Clive and Verelst. Bolts' main charge against Clive contrasted his zealous exclusion of private traders from the inland trade with his alleged cupidity in setting up the Society of Trade to monopolise dealings in three of the staple commodities of Bengal. Bolts claimed that Clive had personally profited to the tune of £32,000 from this operation. He also tried to characterise the Society of Trade as the main source of economic depression and famine in Bengal. Clive's rejoinder, in a parliamentary speech, was to ridicule Bolts' economic logic: 'How a monopoly of salt, betel-nut and tobacco in the years 1765 and 1766 could occasion a want of rain and scarcity in rice is beyond my comprehension . . .'<sup>21</sup> Among other accusations against Clive had been the suggestion, conveyed through an adroit deployment of large and small type in Bolts' text, that Clive had contrived the poisoning of the late nawab, Najim ud Daula. Clive was also charged by Bolts with exceeding his powers in expelling officers from Bengal, and details of the expulsions of Lts Petrie and Parker were incorporated in the appendix of *Considerations*. Verelst, in his turn, was accused at length of misusing his judicial powers as governor to protect his own commercial interests and those of others against private traders such as Bolts' Armenian agents. Moreover, in his capacity as Alderman of the Mayor's Court with a lifelong right to residence at Calcutta, Bolts complained that Verelst had exceeded the Company's powers in expelling him from India.

### *Bolts' critique of the East India Company*

Bolts may have been intent on discrediting both Clive and Verelst, but he claimed to be criticising 'not men but measures',<sup>22</sup> and his argument contained a substantial critique of the Company as an

institution. His broader target was the Company's monopoly in all its forms: 'Power, law and justice, as well as trade, all operate as monopolies in Bengal.'<sup>23</sup> Of all the critics of the Company he was one of the pithiest in expressing the anomalies of its contemporary role. On the trade monopoly, Bolts is best known for his dictum, which has almost the elegance of a theorem, that 'The different interests of the Company as sovereigns of Bengal and at the same time as monopolizers of all the trade and commerce of those countries, operate in direct opposition, and are mutually destructive of each other.'<sup>24</sup> This theme was to be investigated by Adam Smith in his attack on monopoly in *The Wealth of Nations*,<sup>25</sup> published four years later, and by Edmund Burke in his critique of the Company in the Ninth Report of the Parliamentary Select Committee on the East India Company in 1783.<sup>26</sup> Bolts dealt not only with the deleterious effects on trade of official monopolies such as salt, but with the brutality of the Company's methods of accumulating goods for the annual 'investment'. These, he argued, involved oppressions which either forced goods from weavers at extortionate prices, or deterred free merchants and foreign traders from offering competition.

Bolts extended his attack to include the dictatorial role of the governors, pointing to the accumulation of political, military, administrative and commercial powers which they enjoyed. Under Clive's predecessors, the governor had been little more than a *primus inter pares* with a casting vote in the deliberations of a council by which he could be overruled. But Clive had agreed to a second term as governor only on condition that he would be allowed to take effective control of decision-making on all major issues, by nominating his own Select Committee from among the councillors. The practice had continued under Verelst. Bolts pointed out that the governor, who controlled the Select Committee, could exclude the majority of the Council from his deliberations, choose what business to present to both the Select Committee and the Council, and was able to extend the need for secrecy to all forms of business in order to conceal and promote his personal interests. Not only was he also allowed personally to extend the Company's *dastak* privilege to individuals of his choice for their private trade, he could also be, as in Clive's case, commander-in-chief of the Company's forces. By drawing attention to the concentration of powers in the governor's hands, Bolts' critique emphasised the need for public accountability, and may have contributed, in some measure, to the creation, under the terms of the Regulating Act of 1773, of a council of four, three of whom were government nominees, to inspect all



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correspondence and share responsibility for decision-making with a governor-general.

Moreover, Bolts criticised the structure of the Company's central administration. He condemned the procedures by which the directors of the Company were chosen by election in the Court of Proprietors. He characterised the Court of Proprietors as a volatile body, and the Court of Directors as an unstable, faction-ridden oligarchy, incompetent to manage. He attributed faction-prone direction at home, and corrupt and arbitrary government in India, to the Company's failure to adapt to its new responsibilities:

Upon the whole, the Company, in its present situation, may be compared to a stupendous edifice, suddenly built upon a foundation not previously well examined or secured, inhabited by momentary proprietors and governors, divided by different interests opposed to each other; and who, while one set of them is overloading the superstructure, another is undermining its foundations.<sup>27</sup>

As for the Company's monopoly of justice, he argued reasonably, but again from the vantage of personal grievance, that justice in the Calcutta presidency should be administered independently of the governor and council:

with respect to criminal justice, the Governor and Council are, in fact, the parties to prosecute, the magistrates to imprison, the judges to sentence, the sovereigns to order execution, and such despots in authority that no grand or petit jury dares venture to disoblige them . . .<sup>28</sup>

Describing the number and mixture of courts and jurisdictions in which the governor could intervene, he instanced his own case of expulsion as an abuse of English law stemming from the excessive judicial powers enjoyed by Company servants in their own settlements. This complaint, also voiced by other writers, increased public dissatisfaction with a problem which the Company itself had been trying, unsuccessfully, to address since 1770. In the light of challenges by Bolts and others to the legality of the Company's rights of expulsion which were still going through the courts, the Company's first resort had been to secure a parliamentary enactment directed at harmonising British legal practice in India and at home, but only in regard to the prosecution of Company servants in Britain for

oppressions committed in India, and for establishing the Company's legal right to compel the departure of such servants from India.<sup>29</sup> In 1771 the directors had ordered a much broader review of the whole system of justice in India, and this had only recently been completed when Bolts' *Considerations* first appeared in March 1772.<sup>30</sup>

*The attack on Clive in parliament, 1772-3*

Bolts' *Considerations* had helped to make the issue of judicial reform of the Company particularly topical when, on 30 March, an East India Judicature Bill was tabled by the chairman of the Company, Laurence Sullivan.<sup>31</sup> Sullivan, though an old adversary of Clive, and an MP, had not, seemingly, intended the measure as an attack on him, but merely as an attempt at regularising the confusion of courts and judicial powers prevailing in Bengal. But, preceded by Bolts' and Dow's books, Sullivan's bill raised a general parliamentary discussion on the general management of the Company's affairs in Bengal during Clive's governorship. The Johnstone faction seized this opportunity to attack Clive in the arena of parliament. Two of them<sup>32</sup> took a prominent part in the debate which, according to Walpole, was also attended by Bolts, and by three of his Armenian *gumastas*, who had come to England to pursue Verelst through the courts for their trading losses. Verelst himself watched from the public gallery.<sup>33</sup> Clive intervened to mount a lengthy and detailed rebuttal of all Petrie's and Bolts' charges. Horace Walpole witnessed his performance:

Lord Clive then rose, and in a speech of two hours made a much admired defence of himself, though he could not wipe off the accusation of monopoly; in some points he cleared himself, but till the examination into facts his bare denial or act could not disculpate him. . . .<sup>34</sup>

As a result of the debate, Sullivan's East India Judicature Bill was rejected in favour of setting up a full parliamentary investigation of the Company's affairs in the form of a Select Committee empowered to call witnesses. This was to be chaired by General John Burgoyne who proved to be a particularly harsh critic of Clive. Clive and two of the Johnstone brothers sat on the Committee and, probably at the Johnstones' behest, Bolts and his three Armenians gave evidence. Among other witnesses Verelst, too, offered testimony. Burgoyne's

committee considered a variety of accusations against Clive, including his receipt of the *jaghir* and other presents, his Society of Trade, his rumoured attempts to establish a private firm to exploit an official monopoly over the trade in salt, and his alleged responsibility for the early death of Najim ud Daula.<sup>35</sup> Clive, largely because he was a member of the Select Committee himself, was able to answer some of the accusations levelled against him. As a result, Bolts' suggestion that Clive had been implicated in the death of Najim ud Daula was dismissed, and the altruistic purposes of the Society of Trade were affirmed. The existence of a private salt trading venture attempted by Clive was proven, but the accusation that it had been a monopoly was not.<sup>36</sup> However, Clive's receipt of presents was not considered to have been satisfactorily explained.

Verelst, too, came under attack during the proceedings of the Select committee. When Burgoyne presented two interim reports on 26 May 1772 to the Commons, the second of these contained a petition from Bolts' Armenian agent, Gregore Cojamaul, complaining about the conduct of Verelst and several other Company servants implicated in his arrest and trading losses.<sup>37</sup> Burgoyne's Select Committee had not completed its deliberations before the revelation, in September 1772, of the Company's insolvency lent particular urgency to the issue of Company reform. As a result of the financial crisis, the Prime Minister, Lord North, superseded Burgoyne's deliberations by setting up a Secret Committee on 26 November, 1772, which completed its deliberations within a week, and recommended a series of measures which were to lead to the Regulating Act of 1773.

When the Secret Committee's report was presented for debate, General Burgoyne proposed a motion on 19 May 1773 condemning Clive's receipt of presents as corrupt. Over the following days, Clive was forced again, several times, to defend what he described as 'the trembling affluence of my unsettled fortune' in parliament.<sup>38</sup> With adroit assistance from the Solicitor General, Alexander Wedderburn, and other supporters, he won the sympathy of the Commons and obtained amendments to Burgoyne's motion which effectively exonerated him from blame, and confirmed his right of possession. As Burke commented, Clive had 'thus come out of the fiery trial much brighter than when he went into it'.<sup>39</sup>

Despite bearing the brunt of the accusations formulated by the Johnstone faction, Clive suffered less than Verelst. He had defended himself ably in debate and before Burgoyne's Select Committee and, with the assistance of his supporters, he had evaded the condemna-

tion of parliament. Verelst, too, was undamaged by criticism from Burgoyne's Select Committee and in parliament. He was also able to defend himself in the press by issuing his own book refuting Bolts. He was, however, to suffer in the courts.

HARRY VERELST'S *A VIEW OF THE RISE,  
PROGRESS AND PRESENT STATE OF THE  
ENGLISH GOVERNMENT IN BENGAL* (1772)

Harry Verelst (1733–85), formerly the Company's resident at Burdwan and at Midnapore, had succeeded Clive as governor after the latter's departure from Bengal in 1765. Verelst's adulation of Clive, and more especially his conformity to Clive's principles and policies, had been instrumental in his appointment. But he had a strong reputation for integrity. Burke was to describe him as 'one of the honestest men that ever served the Company.'<sup>40</sup> Although Clive represented Verelst as a weak man, he praised him for his probity:

So far from being wanting in humanity, as Mr Bolts asserts, I know that [Verelst] had too much humanity . . . No man came to the government with a fairer character, and notwithstanding what I have said, I am conscious no man left it with a fairer. He acted upon principles of disinterestedness from beginning to end . . . But the truth is, he governed with too lenient a hand.<sup>41</sup>

Verelst was to suffer an altogether less fortunate fate at the hands of Bolts' associates. His most immediate recourse was to defend himself against Bolts' criticisms in print. With the encouragement of the directors and, according to Bolts, with the assistance of other writers, he issued *A View of the Rise, Progress and Present State of the English Government in Bengal*<sup>42</sup> a few months after Bolts' *Considerations*, in 1772. While Bolts' book, which was serialised in the press for broader dissemination, is significant mainly for its political impact, Verelst's had far less contemporary resonance. His heavily documented criticism inexorably dismantled Bolts' case against Clive and himself. But it does not appear to have discredited Bolts' critique, which was more widely circulated than his own publication. Accordingly, attacks on Clive and Verelst, based upon some of Bolts' accusations, persisted in the press and in the parliamentary debates well into 1773. Yet if Bolts' book had the greater contemporary effect,

Verelst's is now valued as a sounder account of the Company's workings.

Verelst both defended himself against specific accusations, and attacked Bolts' Bengal career as symptomatic of the abuses which the Company administration had been trying to eradicate. He gave much fuller and more convincing accounts of the cases alluded to by Bolts in which Verelst was alleged to have interfered in the proceedings of the Mayor's court involving his own private interests.<sup>43</sup> Bolts had also argued that Company servants had used the *Diwani* to create effective monopoly over the inland trade of Bengal for themselves, to the detriment both of native and free merchants, and Verelst's rejoinder was that 'the evils complained of in Bengal have arisen rather from the inability of the Governor and Council to restrain the daring and pernicious projects of private interest in others, than from a rapacious spirit in themselves.'<sup>44</sup> Verelst's case was that the Company had to exercise control over the actions of private traders inland, as they were abusing their licences from the Company; and that Bolts especially was guilty of pretending to represent the Company in intimidating native authorities in pursuit of private gain. Dealing with the abuse of Company *dastaks* by private traders, Verelst identifies Bolts as one of the worst offenders.<sup>45</sup> He accused Bolts of most of the forms of oppression which he himself had condemned.<sup>46</sup> He was, moreover, the 'agent, confidant and friend' of the notorious Ramnaut, who had been accused by the inhabitants of Maula of rapacious oppression.<sup>47</sup> He pointed out that Bolts had, with suspicious rapidity, obtained in six years of service with the Company (1760-6) a larger fortune 'than many gentlemen who have resided twenty years in India and filled the highest stations.'<sup>48</sup> Finally, alluding to the opposition faced by Clive and himself from company servants and private traders attempting to defy Company regulation, he characterised Bolts as one of the most prominent figures offering resistance: 'Mr Bolts . . . distinguished himself as a great leader of sedition'.

Verelst attempted far more than the mere defence of his own conduct. His rejoinder incorporated a broadly reliable survey of the Company's system of trade, revenue and jurisdiction. Moreover, he included a detailed description of the Company's currency operations. Designed to defend Clive against Bolts' accusation of fraud and profiteering in minting a gold coinage for Bengal, Verelst's description of the varied denominations of coin in circulation, and the methods used in calculating rates of exchange, offers a fascinating account of the monetary mechanics of the Company's trade in Bengal.<sup>49</sup>

## INTRODUCTION

### THE FALL OF VERELST, AND BOLTS' BANKRUPTCY

Verelst was subjected, in 1774, to a series of legal attacks which ultimately ruined him. Sued by Bolts' Armenians and others, he was condemned to pay, in two actions, £9,000 damages and full costs.<sup>50</sup> Verelst then lost other cases brought against him by expelled army officers. Having arrived in England as a successful 'nabob', able to marry well, to maintain a house in St James's Square, and to purchase Alston Hall along with a quarter of Lord Holderness's estates near Sheffield,<sup>51</sup> Verelst had lost most of his fortune by 1778 and was driven by debt into exile on the continent, where he died in 1785.<sup>52</sup>

Even before Verelst found himself arraigned in the courts, Bolts himself had already been ruined. He had become involved in two sequences of litigation running from 1771 to 1774, one series brought against him by the Company, the other brought by him, or by his Armenian agents, against the Company and its agents. In May 1771 the Company, through the Attorney General, demanded in the Court of the Exchequer that Bolts pay 30 per cent tax upon the whole of his commercial profits from his illegal participation in the inland trade of Bengal. In 1772, Bolts himself applied, successfully, for a ruling from the Privy Council acknowledging the validity of his case that, as an alderman of the Mayor's Court in Calcutta he had been wrongfully deprived of his right of residence at Calcutta. The Company accepted the Privy Council's judgement, but informed Bolts that although he could return to Calcutta, he would not be allowed to resume private trading in Bengal. This deprived Bolts of any prospective benefit from returning to Bengal, but gave him grounds for suing for wrongful arrest and deportation. Accordingly, in June 1772 Bolts initiated a suit in the court of the King's Bench against the Company through its agent, Captain Purvis, master of the *Valentine*, for compensation for damages incurred by the process of arrest and expulsion. However, the court found against Bolts, reversing the effect of the Privy Council judgement. His expulsion from India by Verelst's order was declared to have been lawful on the grounds that, though an alderman with right of residence, Bolts had been trafficking and trading illegally without Company licence.<sup>53</sup> In May 1773, the Company then exploited this favourable judgement by renewing its demand for payment of tax on its estimate of the £100,000 of profits obtained by Bolts from the sale of goods obtained through illegal trading, and Bolts lost his appeal to the House of Lords against this demand.<sup>54</sup> Bolts had previously declared

in his *Considerations* that he had been able to remit only £30,000 of his trading profit to Britain. The cost of his publications, of his litigation, and of the Company's tax of £30,000 on his illegal trade remittance, forced him into bankruptcy in September 1773.<sup>55</sup> His patron, John Johnstone, who appears to have lent him large sums over the previous four years, declared himself almost ruined by Bolts' financial collapse.<sup>56</sup>

Thereafter, Bolts followed a picaresque career of involvement in a succession of ambitious commercial enterprises, all of which failed. Taking service with the Empress of Austria and gazetted a colonel, he started up an 'Imperial East India Company of Trieste' with a speculator from Antwerp, Count de Proli. Based on the Austrian Netherlands, the company carried on a wide-ranging series of operations between several ports in Europe and the East before crashing with enormous debts in 1784.<sup>57</sup> Bolts took service with the Danish East India Company, and conducted a voyage as master of the *Copenhagen* in 1785,<sup>58</sup> and some of his dealings have been traced through the records of the Swedish East India Company.<sup>59</sup> In 1786 Bolts is known to have tried, unsuccessfully, to interest the French naval minister, the Marquis de Castries, in a scheme to exploit the North American fur trade,<sup>60</sup> but latterly, after attempting, it appears, to found a new establishment near Paris, he died in poverty in the French capital in 1808.<sup>61</sup>

For reasons of economy, the texts of *Considerations on India Affairs* and *A View of the Rise, Progress and Present State of the English Government in Bengal* are reproduced here without their voluminous appendices. Designed to give documentary support to the authors' contentions, these appendices are now of limited value. References in the texts to documents in the appendices have, however, been retained in order to indicate the foundations on which the authors' arguments were based.

## NOTES

- 1 The two standard works covering the crisis of 1772-3 are L.S. Sutherland, *The East India Company in Eighteenth Century Politics* (Oxford, 1962), and Hugh Bowen, *Revenue and Reform. The Indian Problem in British Politics, 1757-1773* (Cambridge, 1991).
- 2 Sutherland, *op. cit.*, 225.
- 3 Bowen, *op. cit.*, 85-6.
- 4 *Fort William-India House Correspondence*, V, 216, quoted in Bowen, *op. cit.*, 83.
- 5 The first edition of William Bolts, *Considerations on India Affairs* (London,

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- 1772) came out probably in March, from when the first reactions to it in private correspondence occur. This is the edition reprinted here.
- 6 Holden Furber (ed.) and P.J. Marshall, *The Correspondence of Edmund Burke. Vol. 5, July 1782–June 1785* (Cambridge University Press, 1965), 263–4.
  - 7 A. Francis Steuart (ed.), *The Last Journals of Horace Walpole during the Reign of George III from 1771–1783* (London, 2 vols, 1910), 72.
  - 8 N.L. Hallward, *William Bolts, A Dutch Adventurer under John Company* (Cambridge, 1920), 5, n.2.
  - 9 Mark Bence-Jones, *Clive of India* (London, 1974), 214–5.
  - 10 For the complications ensuing from this grant see B.P. Lenman and P. Lawson, 'Robert Clive, the "Black Jaghir", and British Politics', *The Historical Journal*, 26 (1983), 801–29.
  - 11 Hallward, *op. cit.*, 46.
  - 12 Hallward, *op. cit.*, 84.
  - 13 The directors to Governor Harry Verelst, 11 November, 1768, quoted in Hallward, *op. cit.*, 89.
  - 14 Bence-Jones, *op. cit.*, 270.
  - 15 *Extracts from the Public Advertiser relative to the Oppressions suffered in Bengal by Mr William Bolts and his Armenian Agents from the East India Company's Agents there* (London, 1769), summarised in Hallward, *op. cit.*, 119.
  - 16 Bence-Jones, *op. cit.*, 269–70.
  - 17 Alexander Dow, *An Enquiry into the State of Bengal, with a Plan for restoring that Province to its Former Prosperity and Splendour, with a Prefix to the History of Hindostan* (London, 1772).
  - 18 British Library, Add. Mss. 29133, Warren Hastings Papers, Ralph Leycester to Warren Hastings, March 1772 quoted in Bowen, *op. cit.*, 96.
  - 19 Hastings to Laurence Sullivan, no date but probably November 1772, British Library Add. Mss. 29127, Warren Hastings Papers, quoted in M.E. Monckton-Jones, *Warren Hastings in Bengal, 1772–1774* (Oxford, 1918), ii, 3, n.1.
  - 20 *London Magazine*, 1772, 220–5. Cited in Bowen, *op. cit.*, 95.
  - 21 Clive's speech in the debate on the East India Judicature Bill, 30 March, 1772, T.C. Hansard, *The Parliamentary History of England from the Earliest Period to 1803*, XVII, 1771–1774 (London 1813), 334.
  - 22 Bolts, *Considerations*, xiii.
  - 23 *Ibid.*, 218.
  - 24 *Ibid.*, x.
  - 25 R.H. Campbell, A.S. Skinner and W.B. Todd (eds), Adam Smith, *An Enquiry into the Nature and Causes of the Wealth of Nations* (1776), 2 vols (Oxford, 1976).
  - 26 The Ninth Report of the Select Committee, 25 June 1783, in P.J. Marshall (ed.), *The Writings and Speeches of Edmund Burke. Vol. 5, India: Madras and Bengal* (Oxford, 1981), 194–333.
  - 27 *Ibid.*, 216.
  - 28 *Ibid.*, 215.
  - 29 Bowen, *op. cit.*, 94. The bill, which was passed on 15 May 1770, was entitled 'An Act for the Better Regulating Persons Employed in the Service of the East India Company'.
  - 30 Ultimately the reform of the judicial system was to be addressed by the measures embodied in the 1773 Regulating Act's provision for a Supreme Court and Lord Chief Justice in Bengal, which were to operate independently of a newly created governor-generalship.



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- 31 The publication of Bolts' *Considerations* may have had some influence over the timing of the presentation of this motion. A correspondent writing to Warren Hastings from London suggested that the bill had been 'brought on by Bolts his book and . . . a petition from an Armenian in Bengal.' H. Brooke to Warren Hastings, 14 September 1772, quoted in Sutherland, *op. cit.*, 23.
- 32 The two Johnstone brothers who sat in parliament were George, or 'Governor' Johnstone, formerly governor of West Florida, and William Johnstone, who, upon marriage to an heiress, had recently changed his name to Pulteney.
- 33 Steuart (ed.), *Walpole*, 72.
- 34 Steuart (ed.), *Walpole*, 72.
- 35 Bowen, *op. cit.*, 136.
- 36 Bence-Jones, *op. cit.*, 275.
- 37 *Reports from Committees of the House of Commons, 1715-1801* (15 vols, 1803), III, *Select Committee, Second Report*, 1772., iii, 265 ff.
- 38 Debate on General Burgoyne's motions relating to the conduct of Lord Clive in India, 10 May 1773. Hansard, *Parl. Hist.* XVII (1771-4), 879.
- 39 L.S. Sutherland, *The Correspondence of Edmund Burke* (Cambridge, 1960), II, 434.
- 40 Edmund Burke, Speech on the opening of the impeachment, 16 February 1788. P.J. Marshall (ed.), *The Writings and Speeches of Edmund Burke*. Vol.6, *India: the Launching of Hastings' Impeachment, 1786-1788* (Oxford, 1991), 343.
- 41 Lord Clive, Speech in the debate on the East India Judicature Bill, 30 March, 1772. Hansard, *Parl. Hist.*, XVII, 364-5.
- 42 Harry Verelst, *A View of the Rise, Progress and Present State of the English Government in Bengal, including a Reply to the Misrepresentations of Mr Bolts and other writers* (London, 1772). Bolts' made two responses to this. Later in 1772 he produced a second edition of *Considerations* with a few added documents in the appendices. Then in 1775 he issued *Considerations on India Affairs, Part II, containing a complete vindication of the author from the malicious and groundless charges of Mr. Verelst etc.* On the title page he claimed that this edition contained 'so copious a collection of indisputable authorities as will effectually demonstrate what immense injuries have been suffered therefrom by the Company, the subjected provinces in India, and this kingdom'.
- 43 Verelst, *A View*, 22-3.
- 44 *Ibid.*, 40-1.
- 45 *Ibid.*, 38.
- 46 *Ibid.*, 41.
- 47 *Ibid.*, 31.
- 48 *Ibid.*, 31.
- 49 The Company is known to have encouraged Verelst to publish his work. The level of specialised detail in some passages suggests that Bolts' scoffing comment that Verelst had had help from other writers may not be wide of the mark.
- 50 *Annual Register*, 17 December 1774, 170-1; *London Chronicle*, 13-15 December 1774, XXXVI, 574; and *Annual Register*, 12 February 1776, 120.
- 51 J.M. Holzman, *The Nabobs in England, 1760-1815: A Study of the Returned Anglo-Indian* (New York, 1926), 166.
- 52 'Verelst, Harry', *Dictionary of National Biography*, XX, 248-9.
- 53 *The English Reports*, Vol. 96, King's Bench Division XXV, containing Sir William Blackstone, 2nd edn, 2 vols. Vol. 2, 601-3, *Bolts v. Purvis*, 1 June 1772.

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- 54 Sir B. Shower, Richard Colles and I. Brown, *The English Reports*, 3 vols (London, 1900). Vol. 1, House of Lords, William Bolts, appellant; the Attorney General, at the relation of the East India Company, respondents, 12 May 1773.
- 55 *Gentleman's Magazine*, XLIII, October 1773, 527.
- 56 John Johnstone to his brother, William Pulteney, 16 October, 1773 cited in Bence-Jones, *op. cit.*, 291 n.3. Johnstone's complaint may have been exaggerated, for his financial embarrassment seems to have been temporary. On the basis of information derived from the family, *Burke's Peerage, Baronetage and Knightage*, 99th edn, 1949, 1096, states, under 'Johnstone', that John Johnstone, after accumulating a large fortune in India, 'bought Alva and other large estates in Scotland', becoming the progenitor of the Johnstones of Alva.
- 57 Holden Furber, *John Company at Work* (New York, 1970), 136-7; and Hallward, *William Bolts*, 135-95.
- 58 Furber, *John Company*, 131.
- 59 Holden Furber, 'In the footsteps of a German "nabob": William Bolts in the Swedish archives', *The Indian Archives*, XII (1958), 7-18.
- 60 Furber, *John Company*, 71.
- 61 Hallward, *op. cit.*, 202, quoting W[illiam] M[acIntosh], 'Vindiciae Gallicae' in *Travels in Europe, Asia etc.*



# CONSIDERATIONS

O N

## INDIA AFFAIRS;

PARTICULARLY RESPECTING THE

P R E S E N T S T A T E

O F

B E N G A L

D E P E N D E N C I E S

WITH

A MAP OF THOSE COUNTRIES,  
CHIEFLY FROM ACTUAL SURVEYS.

---

BY WILLIAM BOLTS, MERCHANT,  
AND ALDERMAN, OR JUDGE OF THE HON. THE MAYOR'S COURT OF CALCUTTA.

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L O N D O N:

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# P R E F A C E

**I**T is time the attention of the legislature of this kingdom should be awakened to the concerns of British subjects in the East Indies, which, notwithstanding all that has been said or written concerning India affairs, seem to have lain neglected, as if those distant individuals were not members of the same body-politic, or did not deserve the care of the mother-country, while this government as yet receives every advantage it chooses from them as subjects.

All the inquiries which have hitherto been made, either by Government or the East India Proprietors, have stopped short at some temporary expedient. No permanent system has been yet adopted for the security of those dominions; and the knowledge which the members of the legislature have had the opportunities of obtaining, upon those inquiries, has been in general very insufficient for forming a right judgment of the internal danger to which those possessions are exposed, or of the remedies necessary for removing the evils felt, or to prevent such as may be dreaded; but if due care be not speedily taken, the nation will not only be soon deprived of the resources at present furnished, but the possession of the very Asiatic territories themselves must be endangered.

Unequal as the writer deems himself to this task in other respects, yet as far as his own local experience could furnish facts, or his industry materials which might contribute towards a right knowledge,

lege, he has been induced to undertake this inadequate performance, which he now lays with all deference and humility before the respectable tribunal of the public. The importance of the objects will plead his excuse for the attempt; and if the facts herein related with all the simplicity of truth should, before it be too late, awaken the attention of Government to those weighty concerns, or be happy instruments for relieving at present, or protecting in future one British subject in those distant dominions from misery and oppression, the writer will think himself amply rewarded for his trouble.

In speaking of British subjects, we would be understood to mean his Majesty's newly-acquired Asiatic subjects, as well as the British emigrants residing and established in India. Whatever odium some among the latter may have incurred, they are not all *Nabób-makers*; they are not all *revolutionists*. And notwithstanding the prevailing notions of the ease with which immense fortunes are acquired in those parts, from the examples that have been lately exhibited, there are at this time in Bengal many poor and industrious Britons deprived even of the means of getting an honest livelihood by their best endeavours, who are deserving of a more maternal care from their native country.

Let not his Majesty's subjects in Asia say they have been sold to the leaders and chiefs of an incorporated trading body of their own fellow-subjects, for the sum of four hundred thousand pounds sterling *per annum*! Much more valuable and permanent advantages may be derived from thence with equity and ease, as well as with dignity to Government; while the prosperity of those Asiatic dominions might be secured in the happiness of the inhabitants, and the commercial, and therefore only true interests of the misinformed proprietors of East India stock be rendered prosperous and secure.

From a society of mere traders, confined by charter to the employment of six ships and six pinnaces yearly, the Company are become sovereigns of extensive, rich and populous kingdoms, with a standing army of above sixty thousand men at their command. In this new situation of the society, so widely different from its  
original

original institution, their true commercial interests appear almost entirely misunderstood or neglected; and it may be safely said, there is scarcely any public spirit apparent among their leaders, either in England or India. The loaves and fishes are the grand, almost the sole object. The questions, How many *lacks* shall I put in my pocket? or, How many sons, nephews, or dependents shall I provide for, at the expence of the miserable inhabitants of the subjected dominions? are those which of late have been the foremost to be propounded by the Chiefs of the Company on both sides the ocean. Hence the dominions in Asia, like the distant Roman provinces during the decline of that empire, have been abandoned, as lawful prey, to every species of speculators; insomuch that many of the servants of the Company, after exhibiting such scenes of barbarity as can scarcely be paralleled in the history of any country, have returned to England loaded with wealth; where, intrenching themselves in borough or East-India-stock influence, they have set justice at defiance, either in the cause of their country or of oppressed innocence.

The affairs of the East India Company are therefore now become an object of the utmost importance to this nation, which it is to be feared may be involved in great difficulties whenever the Indian dominions are lost; or, what is the same thing, whenever they are so impoverished and ruined as to render the possession of them unprofitable. BENGAL and the dominions dependent thereon are entirely commercial countries, which can only flourish while trade is prosperous, the principles of which are invariably the same in all climates. But when the affairs of Bengal and its dependencies get into a ruinous course, the affairs of the Company, which so greatly depend on those provinces, must of necessity do the same. And nothing can be more certain than that those countries will not prosper while the Company continue there the Merchant-sovereign and the Sovereign-merchant, even were it possible, without altering their present constitution, to free their affairs from the numberless inconveniencies arising from the distance between the seat of government and the subjected provinces; the misinformation or ig-  
norance,



norance among Proprietors and Directors, the constantly fluctuating state of parties, the consequent absurd and contradictory orders which are continually sent out to India, and likewise from the want of due power in the Company for controlling their servants abroad: which power it is conceived can never be given to them, because it would be erecting *imperium in imperio*.

Monopolies of all kinds are in their natures unavoidably pernicious; but an absolute government of monopolists, such as at present that of Bengal in fact is, must of all be the most dreadful.

The soil, revenues, justice and interior government of those countries are entirely in the hands of the English East India Company. The prince, whom they call the GRAND MOGUL, being the mere instrument of their power, set up by them, and supported by a pension for the serving of their own private purposes; the pretended NABÔBS of Bengal and Bahâr being the actual stipendiary servants of the said Company, and the DEWANNEE, under which title they pretend to hold those territorial possessions, being a mere fiction, invented for the private purposes of the Company and their servants; and particularly intended, if possible, to screen their seizing on the sovereignty of the country, by imposing on the British nation; though the disguise was too flimsy to deceive either the inhabitants of Hindostân or other European nations who have settlements in those countries.

There is in Bengal no freedom in trade, though by that alone it can be made flourishing and importantly beneficial to the British state. All branches of the interior Indian commerce, are, without exception, entirely monopolies of the most cruel and ruinous natures; and so totally corrupted, from every species of abuse, as to be in the last stages towards annihilation. Civil justice is eradicated, and millions are thereby left entirely at the mercy of a few men, who divide the spoils of the public among themselves; while, under such despotism, supported by military violence, the whole interior country, where neither the laws of England reach, or the laws or customs of those countries are permitted to have their course, is no better than in a state of nature. In this situation,  
while

while the poor industrious natives are oppressed beyond conception; population is decreasing, the manufactories and revenues are decaying, and Bengal, which used not many years ago to send annually a tribute of several millions in hard specie to Dehly, is now reduced to so extreme a want of circulation, that it is not improbable the Company (whose servants in Calcutta have already been necessitated, in one season, to draw above a million sterling on the Directors, for the exigencies of their trade and government) will soon be in want of specie in Bengal to pay their troops, and in England seen pleading incapacity to pay the very annual four hundred thousand pounds which is now received from them by government.

The natives of Bengal, whose miseries have of late been greatly increased by a calamitous famine, have long looked up to heaven and to this nation for relief; which, if much longer withheld, while they bewail the inefficacy of a constitution so much boasted of to them, they may be rendered desperate in the pursuit of redress, and made to join hand and heart with the first power that happens to oppose the English in those dominions. Let such who place their security in the pretended degeneracy or effeminacy of the natives recollect, that they are those very natives who fight our Indian battles; which they have sometimes done without a single musket being fired by our European troops, to whom they have, on many occasions, shewn themselves no way inferior in personal courage. Perhaps it may appear to a considerate man, upon reflection, that it is only the exaggerated fame of what has past which preserves the possession of things at present, and that the power of the English in India may cease to be formidable as soon as that power becomes well understood. The same causes will ever produce like effects in all countries; the many must in time get the better of the few, by the same means whereby the few got the better of the many. Let those who despise the Asiatics farther reflect, that the most despicable reptiles will turn when trod upon; and that history abounds with instances of nations driven into madness, by the cruelty of oppression. It must certainly be best to avoid giving occasion for such extremities. Be it then the more  
b laudable

laudable object, as most worthy of this nation, to secure the hearts of the natives by establishing a due administration of justice, and by encouraging manufactories and a free trade in the inland parts of the subjected provinces, without which they can never prosper. Happily for the European invaders of India, there is such an equipoise between Mahomedans and Hindoos, as makes the government of the whole, by a few foreigners, more practicable in Bengal than it would be in any other part of the world; so that if justice did but hold the scale, that superiority might perhaps be for ages maintained.

The revenues of the provinces of Bengal, Bahár and part of Orissa, which the Company collect, were in the year 1765 estimated to amount to upwards of three millions six hundred thousand pounds sterling per annum, and by proper management they might with ease have been improved by this time to six millions. Besides, there are immense commercial advantages which might be made of those territories by this kingdom; but at present, under the ridiculous plan of a double government, they are every way exhausted by plunder and oppression; and while this nation is gazing after the fruit, the Company and their substitutes are suffered to be rooting up the tree.

The different interests of the Company, as sovereigns of Bengal and at the same time as monopolizers of all the trade and commerce of those countries, operate in direct opposition, and are mutually destructive of each other; so that without a new system, the progress must be from bad to worse. The Company, if left to pursue its present system, will soon ruin itself; the possessions in Bengal will be beggared, and this kingdom deprived of the advantages of those possessions which might be the means of greatly relieving the circumstances of the nation, and of raising it to a state of prosperity and power almost beyond example.

An unlimited power can scarce exist without oppression; and governments, when at a great distance from the controlling power, are naturally subject to a corrupt administration of justice; where the oppressions of the governed will in general be ever found proportionate to the degree of power possessed by the Governors. Such

is the nature of human frailty: and none have ever exhibited greater proofs of this frailty than some of our European Bakhaws in India. The measures necessary to be taken for the prevention of such evils, and for establishing the permanent prosperity of the subjected provinces, can never be expected from the Company; and particularly while it continues with a constitution so defective, and so inadequate to the present altered state of its affairs.

It is the wisdom and power of the Legislature alone that can prevent the total impoverishment or loss of the Bengal provinces, either of which misfortunes might now prove fatal in its consequences to this kingdom. This can only be effected by laws for securing the impartial administration of justice *throughout* those dominions; for preventing the commission of those oppressions and irregularities which have of late years prevailed, to the disgrace of a British government; for more easily and effectually punishing *in India* the authors of such enormities when committed, and for improving and rendering permanent those resources which the nation has a right to expect from the conquered countries. Such laws would equally tend to promote the laudable and desirable object of regaining and securing an interest in the hearts of the subjected natives, who wish only to receive their protection and happiness from a British Sovereign: in which state of things this nation might long possess the Bengal provinces, even against the combined efforts of Indian enemies and European rivals.

If objects like these should not be thought unworthy of the serious attention of the British Government, then will the following sheets, for the information they contain, however undeserving in other respects, merit the perusal of every member of the legislature. And it should be hoped, that all pleas grounded on such charters as are not wholly constitutional, will be treated with the contempt they deserve, when set up as a defence for obstructing the inquiries, or preventing the most effectual intervention of parliament, for securing those grand objects of true national policy, which by such means can only be secured. And it ought equally to be hoped, that the wisdom of parliament will establish due security against any unconstitutional influence of military power; because

because it would, in its effects, prove equally ruinous to those countries, the Company and this kingdom, in the present situation of British affairs.

The Writer of these sheets, who was many years in the service of the Company in Bengal, and is an Alderman, or Judge of the Mayor's Court of Calcutta, agreeably to the charter, writes not with any view of advantage to himself. He has felt the iron rod of oppression from the Company and their servants, in many instances equally grievous with any that are herein laid before the public; but having appealed for justice to the laws of this country, (though it must be some years before he can obtain it) he forbears at present to say more of himself or his cause than, that he was marked out for vengeance in Bengal, for his professional abilities, even small as they were, and his success in such mercantile undertakings as rather entitled him to the blessings of the natives and the approbation of this country, as they were usefully obstructive to mischievous monopolists, and of service to the Company, though offensive to their principal servants. During the whole period of his servitude, he never had violated a law of this kingdom, or been guilty of any bad practice; but had always been faithful and zealous in the service of the Company, whose Directors he defies to lay before their constituents so much as a single charge that can vindicate their proceedings against him, or any accusation, grounded on truth or reason, to convict him of a breach of duty in any moral capacity or connexion, or that will stand the test of candid scrutiny by any one man of real honour and understanding. Nevertheless, by the oppressions under which, single and unsupported, he has silently suffered, he has actually lost sixty out of ninety thousand pounds sterling of a fortune acquired by many years industry in lawful and laudable commerce.

Thus much the Writer has presumed he was in justice authorized to say of himself, in order to obviate calumny, which is often added to persecution, for the sake of justifying it. He is sensible that this publication will even endanger his getting possession of a great part of the remainder of his scattered fortune: nevertheless, moderate, and contented with what will remain to him,

him, let what may be the consequence, he has, at this critical juncture, preferred to every temporizing view, the discharge of his conscience, from a real and sincere regard to the welfare and rights of mankind in general, and to the interests of this kingdom in particular; for tho' he has not the honour of being a natural-born subject of Great Britain, yet being from his infancy bred in it, and having always lived among the natives of this happy country, he is in heart an Englishman, and wishes to be no other, so long as the oppressed can obtain, from English laws, justice adequate to their injuries.

Many gentlemen of the profession of *Nabob-making*, perhaps not a few who have in view the entering upon that profession, and even some Directors, who may be stiled *the makers of Nabob-makers*, who together may possess a powerful mass of wealth, will naturally be the underhand arraigners or opposers of what is advanced or recommended in the several parts of this work: but as facts are obstinate things, the Writer does not much apprehend they will venture openly to dispute the truth of such as he now offers to the consideration of the public. He has confined himself as much as possible to such public acts of Indian government as were necessary to be exhibited in proof of what he has in many places asserted, wherein it is not *men* but *measures*, when bad, that he wishes to expose, in order only for reformation; esteeming it his undoubted right, in common with all others, to scrutinize into the public transactions of all men in public stations, but particularly as they may appear calculated for the good or hurt of the society of which he is a member. The India Directors will scarce tax the Writer with ingratitude, after having treated him with the most extreme cruelty, or blame him for exposing their secrets, when national benefit is the object in view; but if they should deem him adverse to the Company's interest, which he really is not, as the press is the surest test of truth, it must be allowed, that he who refers the merits of his arguments and facts to that severest of trials, does not act like an ungenerous adversary.

After perusing the many extraordinary accounts contained in these sheets, the impartial reader will naturally wonder, how such things could so long be concealed from the public. The reason

of which however has been, that the persons capable of informing them have been interested in with-holding such information. Even the friends \* in England of injured men abroad will not often venture to make their letters public, for fear of heaping heavier misfortunes on the oppressed, or those connected with them, who are in the power of the Company, or their substitutes in India; as the Court of Directors have always strictly prohibited †, to their dependents, the communication of any accounts of their affairs in India to private persons in England. Sometimes the injured who come home for redress, hold their tongues in order to make their terms with the Company and go out again to India in advantageous stations: and in short, among almost all the gentlemen who have once been in those countries, there is such a powerful string of connections, and such hopes or such fears prevail, either for themselves or their friends, as make the obtaining of authentic vouchers very difficult. If this had not been the case, we should have had it in our power to have laid before the public many documents of a more curious and interesting nature than even those we have produced, and which must now remain concealed, till time the discoverer of all truth gives us an opportunity for exhibiting them in another volume.

\* A narrative of the murder of an English gentleman, by the servants of a Zemindár in the districts of Satalury, eastward of Calcutta, which happened in December 1766, was with-held from the writer upon this very principle.

† In the 96th and 97th paragraphs of a letter from the Honourable Court of East India Directors to the President and Council at Bengal, dated the 19th February 1766, are the following words.

“ We have frequently represented the bad tendency of sending to private persons accounts of our affairs in India, and forbade such practices, particularly in our letters to you under date of the 1st April 1760, par. 116; the 19th Feb. 1762, par. 57; and the 1st June 1764, par. 48. And as the like notices were communicated to our other Presidencies, no person can with propriety plead ignorance of them. In order entirely to put a stop to these prejudicial practices, we now confirm, in the strongest manner, the directions we have given in our before-mentioned letters; and we enjoin you, our President and Council, to take care that they are strictly carried into execution for the future; and you are to make these our orders as publicly known as possible, that no person, in whatever station he may be, can have it in his power to plead ignorance.”— And the general instructions of the Directors to their said President and Council have of late years always been, that if any person or persons should be guilty of the smallest contravention of their orders, they were to have the *Company's protection withdrawn from them, and be sent prisoners to England.*

ADVER-

## A D V E R T I S E M E N T.

*THE papers contained in the APPENDIX are many of them copies of very imperfect translations of treaties, such as are in the possession of the East India Company, and being all the work of others, we are not answerable for their incorrectness. We have taken the liberty of altering the titles of some of those papers, and sometimes of correcting the spelling of proper names and other untranslated Asiatic words, for the writing of which in European characters there has been no settled mode of spelling, every one having written such words as they struck his own ear, or according to his own peculiar way of spelling; though it must be confessed the sounds of some Asiatic letters cannot be expressed by European characters. The want however of a competent knowledge in reading and writing the Indian languages has been the principal cause of this variety of spelling, and has often occasioned the using of wrong words: such as Subâh, which, although it means the district under a Subahdâr, is not unfrequently, though erroneously used for the latter word, even by East India Directors. In quoting authentic papers, or the writings of others, we have frequently been necessitated to retain the Asiatic words; and in writing them, in the body of this work, we have endeavoured to adhere to the orthography of the natives where it could be practised; excepting in words now commonly known among us, which would thereby be so disguised as to become unknown. For example, though we have thought proper to write Jagueer (a pension) instead of Jaghire, Dehly (the capital of Hindostân) instead of Delly, we have not ventured to write Ahmedabâd for Amadavât, the capital of Guzerât, or Sipâhy instead of Scapoy or Sepoy, the words by which the Black Infantry are now universally known. Another reason*



*reason has also obliged us to retain several of the Asiatic words, as used by others. There are many names, particularly of the offices of government, which cannot be translated into English without much circumlocution. To substitute that English word which appeared nearest to the Asiatic, would be conveying to the mind of the reader a very inadequate idea of the object. Such words, therefore, as occur in the text unexplained, the reader will be pleased to seek in the following Glossary, wherein we have given such explanations, according to the Bengāl usage, as have been adopted by others, together with some that are new; and we have also accented the words, to direct the pronunciation.*

*Notwithstanding the utmost attention of the Writer in superintending the press, many errors have crept in, which he has not had in his power to correct. Some are taken notice of in the subjoined ERRATA, and such others, not noticed, as will appear evidently to be errors of the press, he must leave to the correction of the indulgent reader, to whose candour he also submits the many errors in composition which may occur to him: the objects of the Writer having been only to convey to the reader a knowledge of facts in plain English, as a merchant, in the best manner the little leisure he is master of would enable him, and to get the work printed off as soon as possible; from supposing India affairs would, because needful, become the objects of national consideration.*

## GLOSSARY

# G L O S S A R Y

O F

H I N D O S T A N W O R D S,

AS USED IN

B E N G A L.

A

- ANNA.** The sixteenth part of a *Rupee*.  
**Aumeen.** An officer employed by the government to inspect the state of the revenues of any district; a supervisor. Also sometimes an arbitrator, or umpire.  
**Aúmil.** } An officer inferior to, or under the *Aumeen*, employed on the same business  
**Aumildár.** } of the revenues.  
**Auríng.** A manufacturing town, or village.

B

- Banyán.** See chapter IX. page 83.  
**Bássa.** The extraordinary allowance paid the military when on field-duty. Also the *agio*, allowance, or rate of exchange between rupees of different species.  
**Bazár.** A market place.—A daily market.  
**Beetle-leaf.** The aromatic leaf of a shrub growing like a vine, which is always chewed, together with the nut called beetle-nut. It is called *Pañ* by the natives.  
**Beetle-nut.** A nut produced by a very tall, slender, and upright tree: which, with other ingredients, is constantly chewed by all ranks of people, from the king to the beggar; inasmuch that it is esteemed a necessary of life. It is called *Soopary* by the natives.  
**Bígum.** A princess. Any great man's wife. Some have erroneously translated it, queen; whereas the king's lady is called *Málekab*.  
**Percundáz.** A foot-soldier, armed with a matchlock.  
**Bückby.** Pay-master of the troops. Also pay-master, in general, for all disbursements of government.  
**Buckferres.** A foot-soldier, armed with sword and target, or a spear; generally employed as a guard in conducting treasure or goods.  
**Bunder.** A sea-port.—Also sometimes used for a custom-house.  
**Buxbunder.** The office of customs at Hoogly.

c

Callárj.

## C

- Calláry*. Properly *Khalláry*.—A salt-work : commonly called salt-pans.
- Canongó*. The officer appointed by the sovereign as register of a province.
- Cbokey*. A watch-house.—Also a place appointed for the receipt of customs, or duties.
- Cbokeydár*. A watchman.—Also the officer of a *Cbokey*.
- Cbout*. A fourth part. Commonly used for the tribute of the fourth part of the revenues which the Marahthas claim from many governments in India. Also the duty collected upon judicial decisions in the cutcherry-courts of Hindostán.
- Cboutarry*. A Bengal corruption of *Cbout*.
- Cbowdry*. A chief of land-holders, or farmers. Properly he is above the *Zemindár* in rank : but according to present usage in Bengal, he is deemed the next in rank to the *Zemindár*.
- Cbowdráwy*. Properly *Cbowdráyet*. The jurisdiction of a *Cbowdry*.
- Cbuddár*. A staff-bearer. A necessary attendant in the train of a great man, who proclaims the approach of visitors, &c. He generally carries a large silver staff of about five feet long in his hands : and among the Nabóbs he proclaims their praises aloud as he runs before their palanqueens.
- Cbúklab*. An assemblage of the smaller divisions of a province, generally the jurisdiction of a *Fowzdár*.
- Cbudám*. Lime made of shells, or stones. Such as the natives eat with their beetle, is made of the former.
- Cooley*. A porter, or labourer of any kind.
- Cowry*. A small shell, which passes for money, of which, from 4000 to 4800, go to a rupee. The cheapness of provisions in Bengal makes it convenient to have so very low a medium for dealings among the poor.
- Crore of Rupees*. One hundred lacks.
- Croory*. Properly *Kardoré*. An officer who collects the revenues under a lord-lieutenant of a province ; for which he makes himself responsible, in consideration of a commission of 2 or 3 per cent.
- Cuffore*. The allowance, or agio upon the exchange of rupees, in contradistinction to *Batta*. *Batta* is properly the sum deducted, and *Cuffore* the sum added.
- Cutcherry*. A court of justice. Also an office into which the ~~cases are delivered~~ ; or for the transaction of any other public business.
- Cutwál*. An officer who in all cities has the care of punishing thieves ; those who drink or sell intoxicating liquors and keep disorderly houses ; and who takes cognizance of such other matters as are not of consequence enough to be brought before the *Fowzdár*.

## D

- Dádny*. The money paid in advance to a merchant, or manufacturer, on a contract for goods.
- Dallál*. A broker.
- Daróga*. An overseer.
- Dawk*. Postmen stationed at stages, of about 10 miles distance from one another, for the conveying of letters.
- Duster Khána*. An office for keeping the government-accounts. In common usage, any office or counting-house.
- Durbár*. The court of a Mogul, Nabób, or any great man. Sometimes it means the palace, and sometimes the levee only.
- Dustóre*. A customary allowance. In Bengal generally understood to be that which the Banyán receives on all sales and purchases.

*Dustuck*.

*Duffuck.* A passport, permit, or order. In the English Company's affairs it generally means the permit under their broad seal, which exempts goods from the payment of duties.

## E

*Enām.* A gift from a superior to an inferior.

*Eīmāum.* A division of a province under the superintendency of an *Eīmāumdār*.

*Eīmāumdār.* A land-holder, or superintendant of the revenues of a small division of a province, called *Eīmāum*.

## F

*Firmaūn.* A grant, order, decree, or command of the emperor. In Bengal, it is commonly used for the patent of the Emperor Furrukhsēer, granting to the English a liberty of trading duty-free.

*Fowzdār.* An officer in all great cities, who has charge of the police, and takes cognizance of all criminal matters. Sometimes it is one who receives the rents from the Zemindārs, and accounts with the government for them. The district of lands under his jurisdiction, or superintendency in such case, is called a *Ghōcklab*.

## G

*Ghāt.* An entrance into a country over mountains, or through any difficult passage.—Also a standing place on a river side,—particularly where duties are collected.

*Ghātbarry.* A tax upon boats, collected at the *Ghāts* or *Chōkeys*.

*Gōlab.* A warehouse, of which the walls are generally raised of mud and thatched; for keeping grain, salt, &c.

*Gomāshab.* An agent. In Bengal it is generally understood to be those who are sent, on monthly wages, into the country to purchase goods.

*Gunge.* A granary, or market for grain.

*Guzerbaūn.* An officer who collects duties on the high roads and at the ferries.

## H

*Hackerree.* A species of cart, drawn by oxen.

*Hagee.* One who has performed the pilgrimage to Mecca, which every true Mahomedan thinks himself bound to do once in his life.

*Haut.* A market kept on stated days.

*Havaldār.* A subaltern officer of seapoys, of the rank of a serjeant.

*Higera.* The flight of Mahomed from Mecca, from which the Mahomedan *Æra* commences. It begins the 16th July, A. D. 622.

*Husbulbookam.* An official confirmation, under the seal of the vizier, enforcing obedience to the Emperor's *Firmaūn*.

*Huzzoor.* The presence.—Applied, by way of eminence, to the Mogul's court. According to polite usage it is now applied to the presence of every Nabōb, or great man.

*Huzzoor Nevees.* The secretary who resides at court, and keeps copies of all *Firmaūns*, records, or letters.

## I

*Imāūn.* An ordinary priest.

*Islām.* The true faith, according to Mahomedans.

*Jaguer.* Any pension from the Grand Mogul, or King of Dehly; generally such as are assigned for military services.

- Jagueerdár.** The holder, or possessor of a Jagueer. It comes from three Persian words *Ja*, a place; *gueristun*, to take; and *dashinn*, to hold: *quch* a placeholder, or pensioner. In the times of the Mogul empire, all the great officers of the court, called *Omrabs*, were allowed *Jagueers*, either in lands of which they collected the revenues, or assignments upon the revenues for specified sums, payable by the lord lieutenant of a province: which sums were for their maintenance, and the support of such troops as they were necessitated to bring into the field when demanded by the Emperor, as the condition of their *Jagueers*, which were always revokable at pleasure.
- Jamadár.** An officer of horse, or foot.—Also the head, or superintendent of the *Peons* in the *Sewárry*, or train of any great man.

## K

- Kázy.** A Mahomedan judge, or magistrate; appointed to administer justice according to their written law; but particularly in matters relative to marriages, the sales of houses, and transgressions of the Korán.—He attests or authenticates writings, which under his seal are admitted as the originals, in proof.
- Kisbundes.** An account agreed to of payments to be made at stated times, in discharge of a specified sum.
- Kbáláb.** Belonging to the king.
- Kbáláb-Lands.** Crown lands.
- Kbáláb Shercef.** The office in which the king's accounts were passed.

## L

- Lack of Rupees.** One hundred thousand rupees; which supposing them standard, or *siccas*, at two shillings and sixpence, amounts to 12,500 l. sterling.

## M

- Mabál.** A name given to every fund producing any particular revenue, or duty; as the salt or *nimuck-mabál* is that on which arise the duties on salt.
- Mágon.** An imposition collected by the officers of the *Chokeys* and *Gbāts*, as a perquisite for themselves, or the *Zemindárs*.
- Mawnd.** A variable weight. In Bengal from 72 to 80 lb.
- Móbúr.** A seal.—Also a gold rupee.
- Móbúree.** Any writer, or under clerk among the natives in Bengal.
- Molúngue.** A worker of salt, a salt-maker.
- Mooteópil.** An officer who examines accounts, and puts his seal on them when passed in the subordinate cutcherries, before they are sent to court.
- Mouza.** A parish.—Sometimes a hamlet only.
- Muckaudum.** A superior officer of the revenues in a village, the same as *Chówdry*.
- Musty.** A high priest. It signifies properly, interpreter of the law.—He is under the *Kázy*.
- Mullab.** A Mahomedan judge.—An interpreter of the Korán. Likewise a school-master.
- Múnshy.** A secretary for the Persian language.
- Munsub.** A title, or dignity; post, or office.
- Misind.** An elevated place of distinction in the *Durbár* for the prince to sit on. A throne.
- Mutehilcab.** An obligatory, or penalty-bond, generally taken from inferiors by an act of compulsion.
- Musfeddee.** A general name for all officers employed in taking the accounts of the *Sábab*, or government; it is also used for the clerks of any great man.

*Nabób.* Properly *Navób* the plural of *Naib*. As used in Bengal, it is the same as *Názim*. It is a title also given to the wives and daughters of princes, as well as to the princes themselves.

*Naib.* A deputy.

*Nancár.* An allowance in an assignment upon the revenues, or the lands themselves, originally given as charity for the relief of the poor, but generally taken by the rich.

*Názim.* The lord lieutenant, vice-roy, or governor of a province: the same as *Subadár*, or *Nabób*.

*Neábut.* The post, office, or jurisdiction of a *Naib*, or deputy.

*Nizámut.* The post, office, or jurisdiction of a *Názim*, or vice roy of a province.

*Núzzér.* } A present, or offering from an inferior to a superior. In Hindostán no  
*Núzzéránab.* } man ever approaches his superior for the first time on business, without an offering, of at least a gold or silver rupee in his right hand; which if not taken, it is esteemed a mark of disfavour. *Núzzéránab* is also used for the sum paid to the government, as an acknowledgment for a grant of lands, or any public office.

## O

*Obadadár.* An officer of the revenues, the same as *Croory*.

*Omrah.* A man of the first rank in the Mogul empire. A nobleman. It is the plural of the Arabic *Ameer*.

## P

*Padshah.* Emperor. King.

*Palanqueen.* A vehicle carried on men's shoulders, commonly used for riding in: They are of two sorts, one for sitting in like a sedan, and the other containing a bed, on which the person extends himself at full length.

*Peon.* A foot-soldier, armed with sword and target. In common use it is a footman so armed, employed to run before a Palanqueen.—*Piadab* is the proper word, from which Peon is a corruption.

*Pergúmnab.* The largest subdivision of a province, whereof the revenues are brought to one particular *Head-Cutcherry*, from whence the accounts and cash are transmitted to the general *Cutcherry* of the province.

*Perwánab.* An order, warrant, grant, or even a letter from a superior to a dependent.

*Peshcúsh.* A fine, tribute, or quit-rent paid to government, as an acknowledgment for any tenure.

*Podár.* A money-changer, or teller, under a *Sbráff*.

*Pykár.* A broker, inferior to those called *Dalláls*, who transacts the business at first hand with the manufacturer, and sometimes carries goods about for sale.

*Pyke.* A watchman employed as a guard at night. Likewise a footman, or runner, on business of the lands. They are generally armed with a spear.

## R

*Rabadár.* An officer who has charge of the highways, the examination of passengers, and the collection of customs where any are there collected.

*Recáyab.* It is so written in the Company's Treaties, but it should be *Reáyab*, which is the plural of the Arabic *Ryot*.

*Resaula.* A command. A regiment.

*Rowána.* A certificate from the collector of the customs.

*Rupée.*

*Rupee.* A silver coin worth about two shillings and sixpence.

*Ryot.* A tenant, who is generally both a husbandman and manufacturer.

## S

*Scapoy.* A soldier. This word is generally used for the Indian infantry disciplined after the European manner.

*Setr.* The fortieth part of a *Mannâ*.

*Serâi.* A building on the high road, or in large cities, erected for the accommodation of travellers.

*Sewâury.* The train of attendants who accompany a Nabôb, or other great man on the road.

*Sezdawl.* An officer employed at a monthly salary to collect the revenues.

*Shah.* The king.

*Shah Allum.* The king of the world.—The title given to the India Company's Grand Mogul, the Prince Ally Gohâr.

*Shâfirâ.* The religious books, or *Scriptures* of the *Brabmins*. It is also used in common for any book of science.

*Sbereef.* Noble, or magnificent.

*Shraff.* A banker, or money-changer: properly *Serâf*.

*Sicca.* Any new coin. It means *stamped*, or *sealed*; but is particularly used for the standard silver-rupee.

*Siddee.* An Arabic title, by which the Abisinians, or *Hababys* are always distinguished in the courts of Hindostân; where being in great repute for firmness and fidelity, they are generally employed as commanders of forts, or in posts of great trust.

*Sircâr.* Any office under the government. It is sometimes used for the state, or government itself. Likewise a province, or any number of *Pergunnabs* placed under one head in the government-books, for conveniency in keeping accounts. In common usage in Bengal, the *Under-Bahyâns* of European gentlemen are called *Sircârs*.

*Sirdâr, or Sirdâr.* A chief, leader, or commander.

*Soontaburdâr.* An attendant, who carries a silver bludgeon in his hand, of about two or three feet long, and runs before the *Palanqueen*. He is inferior to the *Cubddâr*; the propriety of an Indian *Sewâury* requiring two *Soontaburdârs* for every *Cubddâr* in the train.

*Sûbab.* The general name of the vice-royships, or greater governments, into which the Mogul empire was divided, consisting of several provinces. The jurisdiction of a *Subabddâr*: the same as *Sûbabship*, *Subabddaree* or *Nizâmus*.

*Subabddâr.* The vice-roy, lord lieutenant, or governor, holding a *Sûbab*; the same as *Nabôb*, or *Nâzim*. Also the black commander of a company of Scapoys.

*Subabddaree.*

*Subabddary.*

*Sûbabship.*

} See *Sûbab*.

*Sultânul.* The crown, ; throne ; empire, or government.

*SUN.* The year: thus *Siccas* of the 1st, 2d, or 3d *Sun*, are the standard silver-rupees of the 1st, 2d, or 3d year of a prince's reign; which is marked on the coin.

*Sûnnud.* A grant, charter, or patent from any great man in authority.

*Sunott.* Rupees of old dates, on which a discount is allowed, are so called; properly it should be *Sunodâi*.

## T

*Tagâbey.* Money lent to a husbandman at interest, to enable him to cultivate his land; for payment of which the ensuing crop is bound.

*Talook*

- Talook.* } A subdivision of the lands of a *Zemindár*, held by a *Talookdár*.  
*Talookdár.* }  
*Talookdár.* A renter under a *Zemindár*, of the subdivision called *Talook*.  
*Tankáál.* Amint.  
*Tánna.* A small fort.  
*Teepe.* A note of hand. In Bengal particularly used for those notes given before-hand for money to be paid for services to be performed.  
*Tunkbau.* An assignment of lands, or the revenues of them, for any particular disbursements, or purpose of government.

## U

- Ultungau.* An allowance paid from the revenues, as a largess, to religious men, doctors, or professors of science. It should be written *Altungbau*.

## V

- Vakeel.* An agent, or *chargé des affaires*.  
*Vizárut.* The post, or office of a vizier.

## Y

- Yefáwul.* A state-messenger.

## Z

- Zemindár.* Literally a land-holder, who is accountable to government for the revenues;  
*Zemindáry.* The jurisdiction of a *Zemindár*: the lands held by him.  
*Zenana.* Belonging to women.—The women's apartments. The Seraglio;



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## E R R A T A.

- Page 14, line 15, *after at least, insert, in Bengal.*  
 38, last but one, *for title, read titles.*  
 46, 19, *after Meer Jaffier, insert a comma.*  
 64, In the title of the VIII. chapter, *for in India, read in and to India.*  
 84, at the bottom, *for Chaubdârs, read Chubdârs.*  
 99, 4, *for nor, read not.*  
 104, in the last note, *for affairsa, read affaires.*  
 105, 7, take the † *from slave and place it over your.*  
 112, 22, *for candidates, read candidate.*  
 117, last line, *for Council, read Councils.*  
 118, 3, *for Council, read Councils.*  
 120, 29, *dele that.*  
 131, 19, *for but if they, read but if after they.*  
 142, 24, *for right to trade, read right of trade.*  
 162, 29, *for a European, read an European.*  
 166, 33, *for article, read articles.*

## IN THE APPENDIX.

- Page 6, line 32, *for in 4th year, read in the 4th year.*  
 19, 12, *for for expences, read for the expences.*  
 33, 8, *for Mohamed, read Mahomed.*  
 34, 2, *dele been.*  
 84, 22, *for revolution, read resolution.*  
 101, 38, *for go the, read go to the.*  
 104, 19, *for shewed, read shewn.*  
 144, 25, *for rupees 1,024,129—71—7, read 1,024,129—7—7.*

# CONSIDERATIONS

O N

## INDIA AFFAIRS.

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### CHAP. I.

#### INTRODUCTION.

**I**N the degrees there are scope and encouragement given to industry, a country will naturally grow populous and wealthy: but though the great objects of nations, as of individuals, are prosperity and power, the means either of acquiring or preserving them are not unfrequently mistaken.

Industry will be best applied to agriculture, manufacturing and commerce. Of these, the two former are mutual supports of each other; and when made to co-operate with commerce and navigation, they, all together, will lay the most lasting foundations of opulence and might.

These arts, with efficient laws for individual protection and due punishment, and an able and upright administration of justice, if made all fully to operate under a wise, moderate, and beneficent government, will constitute what may be called the perfection of human policy; and prove equally the source of abundant wealth, power, and felicity.

Agriculture, singly, perhaps never did materially enrich or strengthen any country; as, in such case, even the commerce and navigation arising from it will be carried on by other nations\*. Manufactories, beyond all other means, serve to populate and enrich a country: but

\* See CONSIDERATIONS ON the POLICY, COMMERCE, AND CIRCUMSTANCES OF the KINGDOM, pages 92 to 94. Printed for *Admon* in 1711.

these only which are most laborious \*, add greatly to its strength. Navigation, on the other hand, strengthens more than it enriches: and commerce introduces not only abundant wealth, but likewise much useful knowledge.

Hindustàn, from time immemorial, practised agriculture and manufacturing in an extraordinary degree; and they served to make her populous and wealthy almost beyond example. But by neglecting foreign commerce she has continued deficient in various kinds of useful knowledge; and from her want of many laborious arts, and not practising navigation in any considerable degree, she never grew sufficiently powerful to be secure of her own defence.

The extraordinary religious superstitions of the Hindoos, or Gentoos †, and the very unsociable manners that naturally were consequent thereof, proved insuperable bars to their visiting foreign countries. They therefore principally confined themselves to agriculture and manufacturing, leaving remote commerce and navigation to those who would go and deal with them in their own country: so that, as hath already been observed, the industry which so abundantly augmented their wealth, did not serve to increase, in any proportional degree, either their general knowledge or national power.

From very ancient times, we hear much of far-distant nations going to trade with the Indians, but nothing of the people of India ever going to trade with them. In like manner, the writers in remote times make frequent mention of the great wealth of the Indians, but say little of their power: nor indeed could the latter have ever been very considerable, because we know they were easily subdued at different periods of time.

Perhaps the principal provinces of Hindustàn, while they continued unconquered by any foreign power, were never much farther united than by religion and manners. Their original population, which must have been extremely ancient, was manifestly of the primitive or patriarchal kind. Communities grew out of families, which continually were branching off; and with but little variation from each other, they

\* All sitting employments are apt to debilitate the human frame, and those which are excessively toilsome, too fast exhaust its strength; but such as are moderately laborious serve greatly to invigorate both the body and mind, as is apparent from the practice of husbandry, navigation, and most of the handicraft-arts; for they generally make men animated, vigorous and robust.

† *Gento* is a Portuguese word, meaning *Gentiles*, in the Scriptural phrase; by which general appellation, they at first called all the natives of India, whether Mahomedans or Hindoos. From them the English have adopted the term *Gentoos*; by which, according to the present usage, they distinguish the Hindoos; or followers of Birmha, from the Mahomedans, or Musulmen, whom they commonly, though improperly, call Moors, or Moormen.

lived by such rules as were prescribed by an original Lawgiver, Chief, or Râjah, by whose name each respective country was originally known. One cast, or tribe, were appointed to instruct, another to protect and rule, and the rest to such professions and occupations as were useful and necessary; in which modes of prescribed practice, as far as they were able, they have since continued to live.

The Hindoos, like the Chinese, pretend to the honour of existence, as a nation, for a great abundance of ages before the Christian calculation of the commencement of time, or creation of the world. But as every thing which they say of such supposed times is considered as fabulous, the writers who most favour their pretensions to antiquity, are not inclined to believe they can have any historical accounts of their country, to be relied on, so far backward as five thousand years.

The Samscrit, or Sanscrit \*, a most noble and ancient, though now a dead language, understood only by the Brahmins, has been hitherto the impenetrable repository of the literary treasures of that order of men. They are known to have many books that treat of religion and philosophy, and it is said likewise of history. Their four books of Divine Laws and Instructions, called Bhades, are written in poetic stanzas; and they are held so sacred, that no other order of their own people are permitted to read them, should they be able so to do. And such

\* The curious reader will excuse the following extracts relative to this language from parts of a letter of the father Pons a French missionary, written from India in the year 1740, as contained in *Lettres Edifiantes*. Paris edition, 1743, Vol. 26, pages 221 to 232.

“ Les sciences & les beaux arts, qui ont été cultivés avec autant de gloire & de succès par les Grecs & les Romains, ont fleuri pareillement dans l'Inde; & toute l'antiquité rend témoignage au mérite des Gymnosophistes, qui sont évidemment les Brahmanes, et sur-tout ceux qui parmi eux renoncent au monde, & se font *Saniaffis*.

La Grammaire des Brahmanes peut être mise au rang des plus belles sciences; jamais l'analyse & la Synthèse ne furent plus heureusement employées, que dans leurs ouvrages grammaticaux de la langue *Samskret* ou *Samskroutan*. Il me parût que cette langue si admirable par son harmonie, son abondance, & son énergie, étoit autrefois la langue vivante dans les Pays habités par les premiers Brahmanes.

Il est étonnant que l'esprit humain ait pu atteindre à la perfection de l'art, qui éclatè dans ces grammaires: les auteurs y ont réduit par l'analyse la plus riche langue du monde, à un petit nombre d'éléments primitifs, qu'on peut regarder comme le *Caput mortuum* de la langue. Ces éléments ne sont par eux-mêmes d'aucun usage, ils ne signifient proprement rien, ils ont seulement rapport à une idée; par exemple, *Kru* à l'idée d'action. Les éléments secondaires qui affectent le primitif, sont, les terminaisons qui le fixent à être nom ou verbe; celles selon lesquelles il doit se décliner ou conjuguer; un certain nombre de syllabes à placer entre l'élément primitif & les terminaisons, quelques propositions, &c. — A l'approche des éléments secondaires le primitif change souvent de figure; *Kru*, par exemple, devenait, selon ce qui lui est ajouté, *Kar*, *Kâr*, *Kii*, *Kir*, *Kér*, &c. La Synthèse réunit & combine tous ces éléments & en forme une variété infinie de termes d'usage.

Ce sont les règles de cette union & de cette combinaison des éléments, que la grammaire enseigne, de sorte qu'un simple écolier, qui ne sauroit rien que la grammaire, peut en opérant selon les règles, sur une racine ou élément primitif, en tirer plusieurs milliers de mots vraiment *Samskrets*; c'est cet art qui a donné le nom à la langue, car *Samskret* signifie synthétique ou composé.

such is the influence of priestcraft and superstition over their minds, that they have been made to believe any endeavour at the acquisition of such knowledge would be an unpardonable sin : they therefore never seek to obtain it. And should a Brahmin be known to communicate any part of those books to men of other tribes, his punishment would be immediate excommunication, or expulsion from his own, which would be everlasting degradation and infamy ; punishments that they consider to be far worse than death.

No stronger proof can be furnished of the insuperable difficulties to be encountered in such an undertaking, than the fact, well known in India, of an Emperor of Hindostân, the great Akbur, miscarrying in an artful endeavour for that purpose \*. He imposed a well-instructed youth on the Brahmins, as an orphan of their tribe, to be educated by them, in order to acquire a knowledge of their secrets, language, and learning ; but his designs were all frustrated.

Great difficulties must occur in all attempts to acquire the Sanscrit language, as well from the great reserve of the Brahmins, as from the total want of such books as must be necessary for that purpose ; the utmost of what has been published in Europe thereon, extending no farther than to the letters of its alphabet †, and their combinations. It has however often been undertaken by several English gentlemen, though hitherto without success, from the want of sufficient helps. During two years residence at Banâras, the writer could find no books in any other language that would serve in any degree as a medium for acquiring it, though there are, in it, very good ones for that purpose : so that whoever undertakes to learn this language must frame his own

Peut-être que depuis le vénérable Pere de Nobilibus, il n'y a eu personne assez habile dans le *Samskret*, pour examiner les choses par soi-même. J'ai vu dans un manuscrit du Pere de Bourzes, que dans certain Pays de la Côte de Malabar, les Gentiles célébroient la délivrance des Juifs sous Elther, & qu'ils donnoient à cette Fête le nom de *Tuda Tirounal*, Fête de Juda.

Le seul moyen de pénétrer dans l'antiquité Indienne, surtout en ce qui concerne l'histoire, c'est d'avoir un grand goût pour cette science, d'acquiescer une connoissance parfaite du *Samskret*, & de faire des dépenses auxquelles il n'y a qu'un grand Prince qui puisse fournir : jusqu'à ce que ces trois choses se trouvent réunies dans un même sujet, avec la fanté nécessaire pour soutenir l'étude dans l'Inde, on ne saura rien, où presque rien de l'histoire ancienne de ce vaste Royaume."

It is our misfortune that we have no European whatever who hath acquired a knowledge of this primitive, noble, and perhaps antediluvian language, sufficient to read and translate (without long exposed to the impositions and ignorance of the modern Brahmins) those ancient works, which, however blended with fable and superstition, might serve to throw new and important lights upon ancient history and science, and also furnish us with what is much wanted, a true and genuine account of the ancient Hindoos ; some of whose principles and doctrines of religion, morality, and science, seem in the remotest antiquity to have been eagerly adopted by far distant nations, even from Japan and China to Egypt and Greece.

\* DOW'S HISTORY OF HINDOSTAN. Vol. I. page 25 of the Dissertation, first edition.

† See KIRCHER'S CHINA ILLUSTRATA. Printed in Amsterdam, 1667. Pages 162, &c.

grammar and dictionary: in order to effect which, he will be necessitated first to learn, as a medium, either the Persian, or one of the many dialects now used in the different parts of Hindostan, of which that of Bengal, of all the southern provinces of India, is nearest to the Sanscrit; one fourth part of its words, the forms of several of its letters; and the names and order of the whole alphabet, agreeing exactly therewith. As so much time then must be spent in the attainment of a language not requisite for business, there can be little reason for expecting it will ever effectually be accomplished by any one whose great object, from going to India, is the acquisition of wealth. It is therefore an undertaking that probably never will be properly engaged in, unless by the encouragement of some government, or great seminary of learning: and as it might prove the means of making many discoveries that at least would be curious, it should be thought deserving of the patronage of the favourers of science.

The most ancient historical account we have of the Hindoos is from the translation of a poem from the Sanscrit into the Persian language: and perhaps they have few other kinds of very ancient records of their country, than verifications of old but very current traditions of transactions, by men like the ancient Welch, Irish, Highland, or English bards, who have generally every where been the historiographers of rude ages; for even Homer was no more. Farther literary treasures, therefore, of very ancient times of this at least, or perhaps any other kind, may not be in the possession of the Brahmins: and indeed were there others, they might be matters more of curiosity than utility. But there may be some of later times greatly more important, as that tribe of Indians, if not generally learned, have at least been always studious.

The English nation know little more of their ancestors in the times of the Druids than what has been learned from such other nations as happened then to be more enlightened. Yet the Druids, like the ancient Brahmins, were priests and philosophers; between whom there was a similarity in manners and practice, both orders being secret, mysterious, and reserved, how widely soever they might differ in their principles of religion. The Brahmins however assert, and with some appearance of reason, that the lawgivers of other nations have borrowed from the institutes of Brimha, as they judge from what they have seen of the Mahomedans and Jews, and probably from what they may have heard of the Heathens \* and Roman Catholics.

\* The Hindoos pay a kind of divine honours to such persons as were distinguished by extraordinary merits: which were really the Heathen motives for many dedications, and are pretended so to be for most Popish canonizations.

## C O N S I D E R A T I O N S

Concerning the histories which we have hitherto been furnished with of Hindostân, it may with truth be said, that they have not been properly of the Hindoo nations or people, but of such foreign invaders as successively subdued and ruled over them. The ancient Râjahs were probably Sovereigns of the several provinces, or districts of India, being lords of the soil, warriors by profession, and of course protectors from interest; and their government being on the arbitrary principles of parental despotism, they were never opposed, but from the irresistible impulse of nature to withstand intollerable oppression; beyond which the people of India do not appear, from their practice, to have ever had any idea of public right or liberty.

It is natural to suppose, in the progress of ages, that Râjahs, like all other Sovereigns, became infected with ambition, when disputes led to conquests, by which sway grew extended: so that there might have been temporary power acquired that was even enormous. But probably there never was a native government of all Hindostân: nor indeed has there since been entirely such of any race of invaders who established themselves at Dehly.

Some of the provinces of India were long tributary to the Persians; as they afterwards were to the Afgân, or Patân Tartars, whose seat of government was Ghisni, in the mountainous country between Persia and Hindostân; from whence they made frequent inroads into the nearest Indian provinces, to plunder and impose tributes, till the beginning of the fourteenth century, when they established themselves at Dehly. Of this Tartar government it may be said, as of the race of Tamerlane which succeeded it in Hindostân, that it never was complete over the whole country; was frequently resisted even by tributary Râjahs, and sometimes dismembered of its principal provinces.

We shall enlarge no farther here on the ancient state of Hindostân, than just to observe, that among the descendants of Shem, named in the tenth chapter of Genesis; there is mention made of an Ophir in the fourth generation; who probably gave his name to the place from whence Solomon afterwards obtained his large returns of gold\*. All those generations from Shem, mentioned by Moses, are said by him to

\* Some learned writers have conjectured the ancient Ophir to have been the port which in later ages has been called Sofala, situated on the continent of Africa, opposite to Madagascar; but that port is not eastward of the country which was first peopled after the flood. It may not then be thought presumptuous to hazard so contrary an opinion, as to suppose the island of Sumatra was the place to which Solomon's fleet sailed; as there is a mountain on the north end of it which is to this day called Ophir, where much gold ever has been and is yet found; the distance of which likewise better agrees with the time Solomon's fleets took to perform those voyages in, than by supposing them to have gone no farther than to Sofala.

## ON INDIA AFFAIRS.

have been peopled of countries in the eastern parts of the world; which, even according to the Jewish and Christian systems, makes the population of those regions extremely ancient, though infinitely short of the fabulous ages supposed by the Hindoos.

In our next chapter, by the help of better lights, we shall treat with more certainty of the affairs of Hindostan, while under the dominion of the Moguls; and then proceed in our considerations to the present state of the Bengal provinces, which have for some time been a part of the British territories.

But many having of late persuaded the public to believe, that we may securely rely on the passive and resigned disposition of the natives of the acquired countries, and the timid disposition of Indians in general for our secure possession of those provinces, it may be necessary in this place to shew such opinions to be erroneous; and that the preservation of them must depend more on our wisdom and justice than on our military and maritime power.

There can be no just grounds for our supposing there have not at all times been people of valour in India. It is at this time well known, that many of the Indian powers have large and well-disciplined native armies of both horse and foot. So likewise the seapoys in the service of the English East India Company are brave, well-trained, and able-bodied men. Perhaps no people have more distinguished themselves by fortitude and resolution, in a variety of sufferings, than the East Indians. The severities of their voluntary religious penances are almost incredible. They have frequently submitted to be maimed, nay would often die under torture, rather than discover concealed wealth, to the ruin of their families. Even their very women, who live sequestered from the world, and of course are unexperienced in such difficulties and misfortunes as serve to fortify the mind and heart, or such distresses as will render life irksome, or impel to desperation, often manifest such fortitude as amazes Europeans but to hear of, in the horrid deaths, which they voluntarily brave, of burning alive with the dead bodies of their husbands in funeral fires.

There are several nations in India, now living under distinct governments of their own, who never were subdued by the Moguls, though indeed most of them at times have been their tributaries. They, however, were never able to make the Marahtahs either their subjects or tributaries.

These people are governed by an aristocracy of Rājahs of the Hindoo religion, who for many ages have done more than defend themselves, for they have imposed tributes on most of their neighbours; and



at last they even obliged the famous Mogul Aurengzebe to submit to the mortifying and dishonourable terms of paying them a *Chout*\*, or annual tribute of the fourth part of the revenues of the Déckhan: so that it might be said, the emperor thereby not only acknowledged their independency of himself, but likewise their joint right of sovereignty with him over those provinces that produced the revenues out of which the *Chout* was paid.

This *Chout*, or tribute was continued to be received by the Marahtahs from the Mogul ever long after the revenues of the Déckhan provinces had ceased to be paid into the royal† treasury at Dehly: for in the year ‡ 1740, when the deputies of the Sahōo Rājah (King of Sittārah) arrived as usual at Dehly to receive the *Chout*, they were told by the Mogul's ministry, “ That *Nader Shah* had lately so exhausted the treasury, that the Emperor was rendered utterly incapable of satisfying their demands, the more especially as the revenues of the Bengal provinces had been withheld from the year 1738 by the rebellion of *Allaverdy Khawn*, who, in conjunction with his brother *Hajee Ahmed*, had usurped the government of that subahdary; they requesting at the same time, that the deputies would entreat their master, in the Emperor's name, to send an army of sufficient force to exact the amount of the *Chout* that was due to them, and also to take the heads of *Allaverdy* and his brother, and restore the family of *Sujah Khawn* to the subahship; as the distracted state of the empire put it out of his power to send a force strong enough to reduce the two rebels.”

Thus power was given to the Marahtahs by a real Mogul, upon the loss of the Déckhan, to levy their tribute on the Bengal provinces, in lieu of what they had received as their *Chout* from the Déckhan revenues. But the truth was, the revenues of both Subahs were alike lost to the Mogul; so that his ministers may be supposed to have given such an answer merely to get rid of a troublesome demand, though even made without justice. However, the Marahtahs accepted of the transferred pledge, with the service annexed to it, which had the appearance of giving them likewise a new title to their *Chout*; and they accordingly proceeded to act from those powers for both purposes. An army of eighty thousand horse was expeditiously sent by them into the Bengal provinces, under the command of *Boskhar Pundit*, who, after explaining the nature of his powers ||, demanded of the usurper, *Allaverdy*

\* HOLWELL'S HISTORICAL EVENTS, Part I. pages 104—107.

† IBID. page 108.

‡ IBID. pages 108 and 109.

|| IBID. page 113.

*Khawn*, " Three years arrears of the *Chout*, the treasures of the two late " Subahdárs, and that in future an officer of their own should have a " seat in every cutcherry throughout the provinces, to collect the " fourth part of the revenues on their behalf."

These demands being refused with extreme indignation, preparations were of course made for a decision by arms. The first consequence of which was, that *Allaverdy* found himself in so dangerous a situation, as, with twenty-five thousand Patán and Bengal soldiers, to be necessitated to force his way desperately through the whole Marahtah army, and make a fighting retreat from Burdwán to the opposite side of the river at Cutwah; which he effected in three days, with the loss of all his men, except five-and-twenty hundred Patáns and fifteen hundred of his Bengal forces.

During the continuation of this war, which was to the latter end of the year 1747, one of the brothers, Hajee Ahmed, was put to death in a very cruel and ignominious manner. The other, *Allaverdy Khawn*, though not unsuccessful in the field, after performing many extraordinary exploits, from immense profusions of blood and treasure, found it necessary to purchase peace of the Marahtahs with the cession of Cuttack, and the payment of an annual *Chout* of \* twelve lacks of rupees.

The English East India Company have since got possession of Bengal, Bahar, and so much of Orissa as had been preserved by the latter Nabobs; and there have been negotiations entered into by their servants with the Marahtah Rájahs, particularly Janoogie and Ragoonaut Row, concerning the *Chout*; the latter of whom, the Court of Directors were informed from their President and Council in Bengal, under date of the 5th January 1768, had assembled an army at Berár; and, by dispatches of the 29th of the following month they were farther advised, that " The President, since Mahomed Reza Khawn's arrival in Calcutta, " had, in conjunction with that minister, had several conferences with " the Marahtah Vakeel on the subject, who assured them, that his " master would not listen to any accommodation for the cession of Cuttack and consideration for the *Chout*, on any other terms than the " annual payment of † sixteen lacks of rupees, to be accounted for from " the time the Company took charge of the *Dewannee* of those provinces, " and the select Committee on their behalf, to be guarantees for the Nabob's faithful performance of the treaty. In support of the propriety " of these demands, he recited the promise made to his master by Mr.

\* One hundred and fifty thousand pounds sterling.

† Two hundred thousand pounds sterling.

“ Vanfittart, in the year 1763, of paying all arrears of the Chout, on condition that he did not join his forces to the troops of the Nabôb Cossim Ally Khawn; and laid much stress upon the assurance given him by Lord Clive, that whenever the treaty should be concluded with them, the annual sum stipulated for should commence from the time the Company were invested with the Dewannce of the provinces. After many debates the Vakeel consented, with assurances of his master's concurrence also, that the rents which have been collected in Orissa during the above period should be set against the annual arrears which he demanded.

“ By such an agreement,” (proceed the Governor and Council) and a proper examination of their accounts, the arrears will be considerably diminished; and although we must expect, from the distracted state of the Marahtah government, that they have not collected the whole amount of the revenues of that province, yet we have reason to believe, that under your government, and the immediate inspection of your servants, they may in time amount to, if not exceed the annual tribute demanded.

“ As this was a matter which we deemed of the highest importance, so it has engaged our most serious attention: when we consider the many benefits which must naturally result from thus uniting the Company's territories on the coast with your valuable possessions in Bengal, a step which will complete the chain of your influence and dominions, from the banks of the Caramnassa to the farthest extremity of the coast of Choromandel, a measure that must tend so greatly to the preservation of both settlements, by the mutual support which at all times it will enable them to give to each other; the removing at once every pretence of the Marahtahs for disturbing the peace and tranquillity of these provinces, and the shock it will give to their strength and power, whenever it may be found necessary to separate to principal a member as Janoogee; who, during the whole course of his negotiations, has expressed an earnest desire to enter into an offensive and defensive alliance with us: all these considerations having been attentively weighed and debated in Committee, we resolved to acquiesce in the proposals of the Vakeel, and to bring the treaty to as speedy a conclusion as possible: the President has accordingly signified our assent in a letter to Janoogee, and has requested of the Nabôb to agree to it on his part.”

Thus we see negotiations were long ago on the carpet between the Marahtahs and the English East India Company, not only for the re-establishment of their Chout, or tribute, but even for the payment of

arrears from the time of our acquiring those territories. What has been farther done in these matters we pretend not to say; but we know it is said in India, and has been lately written from thence hither, *that there are important points which the Marahthas have in view, and that they will persevere in the pursuit of them.*

The Marahthas are in possession of a very extensive country, and their husbandmen and manufacturers are on their military, or rather militia-establishment. Being all bred to arms, and heretofore entirely cavalry, they are enterprising from long practice, and ever ready to march out of their country to ravage the territories of, or impose tributes on their neighbours, or for any other purpose. Being ferocious and rapacious, they are naturally cruel; insomuch that they maim\* and murder as well as spoil, and often torture to extort discoveries, when they think treasures are concealed.

It has already been shewn they long ago were very formidable; but they are grown much more so of late. In their expedition already mentioned against *Allaverdy Khawn*, in the year 1742, they almost instantly marched an army of † eighty thousand horse into the Bengal provinces; the remains of which being necessitated to retire the next year into their own country, two more armies, each of ‡ sixty thousand horse, were directly sent on the same service; and their point was at last carried. What they have long proved themselves by practice, they are now universally acknowledged to be, by far the most powerful of all the Hindoo nations. They have shewn they are greatly an overmatch for Hyder Ally; and as of late years they have been forming an infantry, which must be a regular force, should they make it but tolerably numerous and well disciplined, they will be soon able at any time to swell their numbers to what degree they please, as there are || supposed to be no less than one fourth part of the natives of Hindostân, taking the country throughout, that are soldiers of fortune; who, from ill pay and discontent, will be ever ready to join them in any undertaking § from which advantage can be hoped; so that a great military power in India may at any time be soon formed: it should there-

\* See HOLWELL'S HISTORICAL EVENTS, Part I. pages 134 and 135.

† *IBID.* page 110.

‡ *IBID.* page 136.

|| DOW'S HINDOSTAN, Vol. II. page 402, second edition.

§ This hath been the real case for ages past, whenever the Marahthas made sudden expeditions for plunder. It appears by no means improbable, that the very terms now in general use, of *Marauder* and *Marauding*, are derived from the Marahthah name, as they are expressive of Marahthah practice; especially as the Portuguese gross term of reproach, *Maroto*, which may be construed to mean a sturdy, desperate vagrant, appears to have been an early corrupt importation from the coast of Malabar.

fore be hoped, that the ruling powers in this kingdom will be always greatly on their guard, lest an ignorant or iniquitous administration of power in India should sacrifice advantages that may be but ill estimated at present here, but which might be soon made of the utmost importance to the state.

No rational doubt can be entertained, from the plunders and miseries which they have experienced from frequent changes of masters, and the entire want of legal protection and justice, but that all the most valuable people in the Bengal provinces, who are the husbandmen and manufacturers, would quietly submit to any government that had but the virtue to treat them with humanity, and patiently labour on, so long as they find themselves able by their industry to subsist. But whenever that end can be no longer obtainable by such means, they must and certainly will seek refuge from intolerable misery by any kind of desperation.

The single object which an oppressed people ever have in view, is to free themselves by any means from the present tyranny which they suffer, with trusting to chance for whatever may follow : and we should be extremely weak to suppose the people of Bengal can ever want instigators to, or supporters in a revolt. Those possessions are envied Great Britain alike by the powers of Europe and Asia ; who will not scruple, either separately or conjointly, by any means whatever, to deprive her of acquisitions of such infinite importance.

Thus evidently doth it appear, that there is a native power now in India which may be considered as great, and at this very time extremely formidable to the Company ; being masters of a great part of India, and by late acquisition in actual possession of the greater part of Orissa, which they now hold as a pledge, and which, to be re-obtained, must in effect be purchased by the payment of arrears ; and the Company's servants must likewise be sureties for the payment of an annual tribute in future of *two hundred thousand pounds*, only because demanded of them by a neighbouring Indian nation.

Such is the present state of the British dominions in Bengal, entrusted to the care of the East India Company, whose government there is rendered hateful to the natives by oppressions, has occasioned desertions of many of the people, is in general odious in India, disgusting to and envied by many of the powers of Europe, and tyrannical in the extreme towards their resident fellow-subjects : from all which circumstances, let the impartial and judicious be judges of the degree of security the state can have in those possessions, should oppressive conduct and ill policy be longer suffered to prevail.

## C H A P. II.

ON THE MOGUL EMPIRE BEFORE THE INVASION OF  
NADER SHAH.

**T**ÆMOOR BEG, otherwise called Tæmoor Lung, or Tamerlane, invaded Hindostân about the 1397th year of Christ, or the 800th of the Higerah, where he was guilty of abundant ravages and murders; but soon retired to his own country, and never visited India more.

It was not till about the year 1525, that Baber, one of his descendants, got possession of Dehly, seated himself on the throne of Hindostân, and properly established the Mogul empire in India; the duration of which has not much exceeded two hundred years, with various degrees of fortune, figure, and prosperity.

The principles of the Mogul government were however so moderate and mild, that while the empire did continue to flourish, it certainly must have been more owing to the prejudices and peculiarities of the people, than to any faults in their rulers, that they did not grow powerful in proportion to their prosperity. As the court of Dehly always appeared ready to give every kind of encouragement to the commercial intercourses of other nations with the natives of Hindostân, we may reasonably suppose they would have been equally ready to favour any commerce, which their own subjects had discovered an inclination to prosecute with distant countries, especially as all scruples of a religious nature must have been entirely out of the question: for the Christian could not have been more offensive than the Hindoo religion to a Mahomedan government. But indeed it does not appear, that they ever much concerned themselves about the religion either of their own Indian subjects, or of those who traded with them. All people who went to deal in India found welcome and indulgence from the Sovereigns of the country: from which practice we may infer, that they would as willingly have encouraged a spirit of commerce as of manufacturing, in the natives of India; to which they probably had not unfrequently been invited by the sovereigns of many other countries. Such was at least the case with respect to England; for both Queen Elizabeth and her successor did give them such encouragement. And as such would have been the best means that could be devised for establishing in their country, a maritime power, which must equally have added to their political importance and national strength, (both of which were always  
favourite

favourite objects to Mahomedan governments) they would from policy have been inclined to favour such undertakings. And we may the more readily suppose them capable of comprehending a system of policy like this, as we know their right ideas of the advantages resulting from manufacturing induced them to give every encouragement to the practice even in some instances considerably to the lessening of their own revenues by so doing.

The lands of Hindostân were principally the property of the Moguls, and almost the whole of their income arose from the rents of them; the rest of their revenues consisting of little else than a few low-rated port and inland duties. Yet so very attentive were they always to the manufacturing interest, and of course to the welfare and prosperity of their people, that in the prosperous times of the Mogul government the rents of their lands were always kept extremely low; though of late years the rates\* of them may at least be supposed to have doubled. The ancient laws of Hindostân indeed prohibited any advancement of the rents of the lands on those who really occupied them; nor could the agreements be violated that were made with such tenants, so long as they continued the regular payment of their rents: which surely may be considered as remarkable instances of royal attention to the welfare of the state, the happiness and effectual protection of the people, and of extraordinary moderation in a government that was despotic, especially in so interesting an object as that of the revenue, and even the principal part of it: for those rents were made to answer almost every purpose of taxation for supporting the establishments of a splendid court and great empire. Such was the wise and benignant internal policy, and such were the humane and just laws of the Mogul government.

By such judicious regulations, provisions were rendered cheap; and as there were no kinds of burthensome levies on the people of Hindostân, the rates of all labour were consequently very low; so that manufactures were thereby made so favourable in prices, that they forced their own sale in the remotest regions of the globe; which caused such treasures to stream from all quarters into those countries that produced them, as kept Hindostân enriched, beyond comparative example in the records of time. A quick succession, however, of rapacious masters

\* See a LETTER from Mr. SYKES to the SELECT COMMITTEE at CALCUTTA, N<sup>o</sup> XXXIX. in the APPENDIX, page 140. And likewise Mr. HOLWELL's LETTER to the BOARD OF DIRECTORS in LONDON. Dated December 1765. HISTORICAL EVENTS, Part I. page 222, &c.

It may be proper just to mention here what will be enlarged on hereafter; that there were two ways of paying those rents, according to stipulations. One by a fixed value in money, as rent is now paid in this kingdom; the other by a part of the products of lands, paid in money, according to the rates of the markets when due.

since,

since, with a total change of policy and practice, have of late years been as rapidly impoverishing those countries again.

So likewise, in order to encourage the purchase of such manufactures, those Princes manifested equal wisdom and generosity in granting to foreign traders their royal firmauns\* of exemption from the payment of all duties; which was lessening another branch of the revenue for the generous purpose of promoting public prosperity, and the reverse of what was ever practised either by ignorance or tyranny.

It must then have been the fault of the Hindoo people, and not of their Mahomedan government, that India did not many ages past figure as much in commerce abroad as in manufacturing at home; and she would thereby not only have acquired the valuable arts of the western nations, of many of which she is yet much in want, but likewise what would have been above all, probably such maritime power† as might have effectually protected her against any nation on that element.

But

\* Exemptions from such duties, to favour a beneficial trade that was carried on by foreigners, were certainly wise measures; as were likewise the fixing of low import-duties on things necessary or useful; and more especially when they served to promote a mutual traffic which, upon the whole, had been experienced to be extremely profitable. But on the contrary, nothing can be more absurd than to value a trade, however losing on the balance, for the import-duties, or internal taxes which it is made to occasion consumers to pay; because direct or indirect national profit should be the only public end in view, from either prosecuting or encouraging any kind of foreign commerce.

Yet it has not been uncommon to hear the value of the India trade of this kingdom estimated by the duties and taxes which government has been enabled to levy on such commodities, imported from Asia to be consumed in this country; which is judging contrary to every principle of sound policy. Suppose, for example, we paid yearly a million balance to India, for tea, coffee, calicoes, mullins, wrought silks, and other articles of luxury which we could well do without, in order to enable government annually to raise two millions by taxes on the people; government would, in such case, be actually purchasing those powers of taxation at fifty *per cent.* loss to the state, besides injuring the industry of the nation in an equal degree. For manufactures to answer all the purposes of those so imported, and even coffee, might be produced in the British dominions. As for tea, we had better not consume it at all; because it is expensive in the purchase, and many ways hurtful in its use. It should therefore be thought the reverse of good policy to encourage unnecessary, or pernicious imports, merely for the sake of the duties and taxes on them which are paid by consumers at home; because so much as the people are able to pay to government might be drawn from them by means that would neither prove hurtful to themselves, or injurious to the state.

In like manner, since this nation has acquired immense territories in India, which must constitutionally be the property of the state, it is strange policy to suffer annual revenues of several millions to be there made subservient to a branch of national trade which is prosecuted under a direction that must be incompetent for good government, and is without sufficient power for the protection of extensive dominions. The revenues and preservation of large, populous and wealthy provinces are now with regard to India, the great objects of this country, and not the concerns of a company of natives and foreigners, who are carrying on a trade that is in many ways hurtful, and may, upon the whole, be likewise a losing one to the kingdom.

† Had there been ever any material maritime strength in India, which would really have been contrary to the genius of that country, it must have been impossible for the Portuguese either to have acquired or kept possession of the territories which they so long held in Hindostan, for they were always in a state of religious war with the natives, and never able to support a considerable navy. And yet, that they did lose their superiority in Asia at last, was in no degree owing to any power in the

Indians,



But so entirely did the principles and manners of the Hindoos prevent their visiting foreign countries, that, not only all their distant maritime commerce, but even their traffic by caravans from the back parts of their own country, together with most of their coasting, and much of their inland trade, were prosecuted by foreigners: to which causes must have been greatly owing their weakness in past times, and their present miserable subjugation to a body of the trading subjects of one of the most distantly-situated potentates on the globe. Indeed a free intercourse with remote countries would not have less tended to strengthen them as a military than a maritime power, because all the great improvements which, in late ages, have been made in the art of war, were of European invention, as hath likewise been the case with respect to other useful arts.

To the peculiar religious principles and consequent reserved manners of the people, therefore, may be attributed the continual weakness of Hindostân; and to the excess of their extreme despotism has been owing the instability of their governments. Tyranny was never long secure in any country but Germany; and there, by compact, it has been rendered constitutional: a confederacy of military despots having engaged to be the supporters of each other.

Wealth in other countries is usually considered as the foundation of power; but in Hindostân it has proved otherwise: it has there rather been the source of weakness. The very idea of despotism with riches, is apt to occasion indolence: and with great delegated power servants soon grow to be masters of those whom they appear to obey; of which the History of Hindostân abounds with striking examples. But that the Mogul empire, in the days of its splendor, was one of the most extensive and rich that the world has ever known, was always believed, and of late has been made evident by many writers, from indisputable authorities.

The most authentic account that has been published of the revenues of this empire, while in its flourishing state before the invasion of Nader Shah, is of the reign of the Emperor Aurengzebe \*, who died in the year 1707; when the annual revenues are specified to have amounted to

Indians, but to their subjugation to Spain, with which nation the Dutch were then desperately contending even for existence as a people. Perhaps the greatest maritime power ever belonging to Hindostân was that of *Angria*, who (as Grose informs us in his voyage to India, page 130.) had the presumption to demand a yearly tribute of twelve lacks of rupees, or an hundred and fifty thousand pounds sterling, from the English Company, to let their ships pass unmolested: and yet we saw his whole power very speedily and effectually destroyed during the late war, by Admiral Watson, with but few ships.

\* See Mr. JAMES FRASER'S HISTORY of the MOGUL EMPERORS, page 35.

# ON INDIA AFFAIRS.

17

thirty-seven millions, seven hundred twenty-four thousand, six hundred and fifteen pounds sterling \*, the Sûbahs, or greater governments being rated as follows.

Sûbahs.	Dâms.	Pounds sterling.
Dehly	1,221,950,137	3,818,594 3 6
Agra	1,146,760,157	3,583,625 10 0
Azmeer	652,345,362	2,038,579 5 0
Illahabâd	456,543,248	1,426,697 13 0
Panjâb	826,132,107	2,581,661 16 8
Audih, or Owd	322,327,829	1,007,274 10 0
Multân	214,442,936	670,134 3 6
Cabool	161,039,354	503,248 0 0
Cashmeer	229,911,397	718,473 2 4
Guzerât	607,849,135	1,899,529 3 6
BENGAL	524,636,240	L. 1,639,488 5 0
BAHAR	407,161,000	1,272,378 2 6
		<hr/>
		2,911,866 7 6
ORISSA	142,820,000	446,312 10 0
Scind	91,816,810	<hr/>
Dowlatabâd	1,034,945,100	3,358,178 17 6
Malvâ	403,901,658	286,927 10 0
Berâr	614,025,000	3,234,203 9 0
Khandeish	448,630,000	1,262,192 13 6
Bedr	372,974,370	1,918,828 2 6
Hyderabad	1,113,360,000	1,401,969 0 0
Vizapore	1,078,305,000	1,165,545 0 0
		<hr/>
		3,479,250 0 0
		<hr/>
		3,369,703 2 6
		<hr/>
Dâms †	12,071,876,840	L. Sterling 37,724,615 2 6

Every person well acquainted with Hindostân will allow, if the above sum found its way into the King's treasury at Dehly, that it may, with great moderation, be admitted, twice that sum at least was collected from the tenants, or husbandmen, as will be made to appear evident to the

\* In the account of the embassy of Captain William Hawkins to Dehly, it appears the yearly revenue of the Mogul, Shah Seleem, son and successor of the great Akbur, in the year 1610, was rated at fifty millions sterling; and Sir Thomas Roe, another of King James's ambassadors to the Mogul, afterwards confirmed that estimation: but the provinces which were then possessed by the Mogul are not enumerated. See Purchas's Pilgrimes, printed at London 1625 and 1626.

† The land revenues were computed at the court of Dehly by dâms, which are here reckoned, according to Mr. Frazer, at forty for each standard, or sicca rupee, and each rupee at two shillings and six pence.

[ C ]

reader

THE ASIATIC SOCIETY, CALCUTTA

Acc. No. 57747 Date 10.8.98.

reader in a following chapter, which will treat of the revenues and methods of collecting them in those countries.

Mr. Holwell, formerly Governor of Bengal \*, asserts, that “ the revenues of the lands are very nearly in a quadruple proportion to the rents of them.” We are therefore certainly secure in estimating them at only half that value; by which calculation we have the sum given us of upwards of seventy-five millions four hundred thousand pounds sterling, for the annual produce of the farmed lands of the Mogul empire in Hindostân about the year 1707.

In further proof of the late grandeur of this empire, it will not be foreign to our purpose to put the reader in mind of some circumstances, as related by others †, attending Nader Shah’s invasion of Dehly about the beginning of the year 1739.

The throne of the then emperor, Mahomed Shah, known throughout Hindostân by the name of *Tukhte-Taos*, or the Peacock Throne, as taken by that invader, was valued at ten crores of rupees, or about twelve millions and a half sterling; which, together with the other regalia, treasure, and valuables that Nader and his nobles carried away with them, amounted, in the whole, to no less than from seventy to eighty millions sterling. The computation of the damage otherwise done to the capital and its inhabitants on this occasion would scarcely be believed, if it was not so well vouched by Mr. Fraser in his translation of Mirza Zuman of Dehly’s very particular journal of the transactions of that period, and also by the concurrent testimonies of many reputable persons still living in Hindostân.

The foregoing particulars, it is hoped, will be deemed sufficient for our present purpose of shewing, in a compendious view, what have been the revenues and splendor of this empire, even at so late a period of time as hath been mentioned. If any one would wish to see a more particular account of the riches and magnificence of the court of Dehly, when in its prosperity, let him read the accounts of Monsieur Bernier ‡, who was an eye-witness of what he relates of Aurengzebe’s court.

With respect to the state of justice in the Hindoo governments; we might be induced to form the most romantic notion of it from the ingenious performance of the writer before quoted, who, from having been many years in the East India Company’s service, and for some time their

\* HISTORICAL EVENTS, Part I. page 219.

† See DOW’S HINDOSTAN, the first edition, page 26 of the *Appendix*: and ORME’S INDOSTAN, page 23 of the Dissertation. See also LETTRES ÉDIFIANTES, Paris edition 1741, Vol. 25, pages 444, 452, &c.

‡ VOYAGES DE FRANÇOIS BERNIER, printed at Amsterdam 1697.

Governor in *Bengal*, might reasonably be supposed to have had good intelligence. Speaking of *Bissenpore*, the dominions of Gopaul Sing, a Rájah to the westward of Burdwán, who was then said to have preserved the antient independence of his country, Mr. Holwell says \*, " In this district are the only vestiges of the beauty, purity, piety, regularity, equity, and strictness of the ancient *Hindostán* government. Here the property as well as the liberty of the people are inviolate. Here no robberies are heard of, either private or public: the traveller, either with or without merchandize, on his entering this district, becomes the immediate care of the government, which allots him guards, without any expence, to conduct him from stage to stage; and these are accountable for the accommodation of his person and effects," &c. &c.

But whatever may have been the ancient state of that country, there are others in England who have long resided in many parts of India, and do not remember ever to have *seen* in any part of *Modern Hindostán*, which they have traversed, so much as one example of such purity of manners as this gentleman here mentions; though, from evidence that should be thought indisputable, it may be admitted, that there is no reason to think the natives of Hindostán have not in former times been as virtuous and happy as any people whomsoever.

With regard to later times, another modern writer on this subject, assures us †, " that the laws of Hindostán were wisely instituted as barriers against oppression, and continued in force until the invasion of Nader Shah; till when there was scarce a better administered government in the world. The manufactures, commerce, and agriculture flourished exceedingly; and none felt the hand of oppression, but those who were dangerous by their wealth or power. For, *till within these very few years*, merchants were no where better protected, nor more at their ease than under this government: nor is there a part of the world where arts and agriculture have been more cultivated, of which the vast plenty and variety of manufactures, and the rich merchants were proofs sufficient."

During the Mogul government, though they had no laws in Hindostán like English acts of parliament, they had various books, written by learned and religious men, containing collections of the Mahomedan immemorial usages and customs, founded on reason and the Koran, which, as in other countries, may be properly called their civil and

\* HOLWELL'S HISTORICAL EVENTS, Part I. pages 198 and 199.

† LUKE SCAFTON'S *Reflections on the Government of Hindostán*. Printed 1770, pages 24, 25 and 26.

religious laws ; particularly those written, or compiled by Baha al Deen Mahomed Aumly, Malek Shafee, Hanbal, and Abul Haneefa ; by which the officers of the government were usually guided in their decisions. In cases not capital or criminal, where Hindoos, or Gentoos alone were concerned, particularly in affairs of their casts, or tribes, which are of the most consequence to Hindoos, the matters (excepting where the Mahomedan Governor or the Kâzy were more than ordinarily bigotted) were generally left to their own Brahmins to be decided according to their Shâstrës, or ancient Scriptures, of which, as before observed, we have but little knowledge ; and, upon decision, a certain duty or fine was levied for the government.

The tenaciousness of the Hindoos to their own ancient customs forced the new comers to this expedient ; for as, on the one hand, it was impossible that Mahomedans could conform to the customs of the Hindoos, so, on the other, it was equally impossible for the Hindoos, from the peculiarities of their own civil and religious constitution, to adopt the manners and customs of the Mahomedans, or to receive those invaders into their casts or tribes. But whatever expedient might have been adopted to lessen the great confusion and disorder which must naturally have been introduced on the mixture of two nations so widely different in every religious and political sentiment, it is certain, as we may judge from present experience, that nothing could prevent therefrom a corruption of manners.

All the offices and forms of government at the Court of Hindostân, during the empire of the Moguls, have ever been imitations of the Persian, as the names of them evince ; to the keeping up of which, the constant ingress of adventurers from that kingdom, who generally met with a favourable reception at Dehly, must greatly have contributed. Those, therefore, who are desirous of knowing what the Hindostân government, as instituted by the Moguls, should be, if the original were well imitated, may see it in the Chevalier Chardin's \* very particular account of Persia.

*Hindostân* is in many places greatly favoured by nature for commercial advantages ; and the provinces of BENGAL, which are the more immediate objects of our considerations, above all others. This Sûbah of the empire, which was emphatically stiled by the Emperor Aurengzebe, *The Paradise of Nations*, spontaneously produces, in great abundance, almost every thing requisite for the support and even high enjoyment of mankind. No country can be better watered, by a variety of

\* Voyages en Perse, du Chevalier Chardin.

considerable streams falling into or *from* the great rivers *Pudda* and *Brimhaputre*, which render the inland navigation very extensive and convenient for the purposes of trade†. This great facility of obtaining water, and the natural fertility of the soil, every where assisted by the periodical rains from May to September, render the cultivation of the earth an inviting task, and so easy, as to afford the husbandman great leisure for application even to the arts of manufacturing.

*Dehly*, without the aid of silver or gold mines, was in her times of prosperity a receptacle into which the gold and silver of the greatest part of the world had been flowing by regular channels for ages, till foreign invaders interrupted its courses. This great influx of wealth was owing, first, to the extraordinary fruitfulness of the dependent dominions; secondly, to the sober industry of the inhabitants, either applied to agriculture, which was greatly encouraged, or to manufacturing those commodities which have for many ages been in esteem throughout the world; and thirdly, to the strong protection that was granted to merchants.

The encouragement of foreign and domestic trade was more particularly necessary in the *Sûbah* of Bengal, which, not containing mines of diamonds, gold, or silver, depended solely upon its manufactories for that very large balance of trade in its favour which alone could enable it to pay so considerable a tribute, as hath been shewn, annually to the court of *Dehly*. Accordingly, as Mr. *Serafton* hath expressed it, “*till of late years,*” inconceivable numbers of merchants, from all parts of Asia in general, as well as from the rest of Hindostân in particular, sometimes in bodies of many thousands at a time, were used annually to resort to Bengal with little else than ready money, or bills, to purchase the produce of those provinces. The causes and effects of the unfortunate failure of such commerce since, will hereafter be made appear.

† The Indians of Bengal formerly carried on a considerable trade by sea, and had some sort of maritime power, as we read in many parts of Purchas's Collection; particularly, in the year 1607, an account is given of a fleet from the King of Bengal having invaded the Maldivia Islands. It is most probable that this fleet was composed only of coasting boats, such as are still built in some parts of the Bay. But whatever might be the state of such navies heretofore, it is certain that the Indians have not figured in the maritime way since the Portuguese found their way among them round the Cape of Good Hope. However, the late *Angia* whom we have before mentioned, at *Gheria* on the Coast of Malabar, gave many signal proofs of what might be done, even by an Indian navy, in Indian seas, under the direction of only one able man; and our East India Company may perhaps repent the surrender of that port, which they so imprudently and easily gave up to the *Maahaths*.

## C H A P. III.

ON the STATE of HINDOSTAN, since the total SUBVERSION of the EMPIRE; and the present condition of the PRINCE whom we now call the GREAT MOGUL\*.

**A**FTER the picture exhibited in the preceding chapter, nothing can afford a more striking example of the instability of human power than the contrast which will appear in this.

From authors who have particularly treated of this subject, it is too well known to need being enlarged upon here, that after the invasion of Nader Shah, in the year 1739, an imbecility succeeded, which soon dismembered the empire, under the then Emperor Mahomed Shah. Every Subahdâr, or governor of a province, regardless of the Firmans from the Court of Dehly †, set up for himself, and murderers and usurpers soon abolished all laws and established usages, and spread devastation and misery throughout the empire. “The ‡ country was now torn to pieces by civil wars, and groaned under every species of domestic confusion. Villainy was practised in every form; all law and religion were trodden under foot; the bands of private friendships and connections, as well as of society and government, were broken, and every individual, as if amidst a forest of wild beasts, could rely upon nothing but the strength of his own arm.”

From the time of the Emperor Aurengzebe, there had been many princes of the blood kept in prison at Dehly; from whence, in succeeding times, they were sometimes taken out and raised to nominal dignities, only to be made use of upon occasion, as the usurpers found convenient § for their own ambitious views; and in this imbecile state

\* We make use of this title as being best known in Europe, though it appears to have been adopted on no other authority than that of the French missionaries, who, in the first publications of their travels to the East, have been pleased to stile him The Grand Mogul. There is not the sanction of any authority for it, from any appellation or title at any time given this monarch in the empire, where he is called simply Shah, or Padshah, in Persian meaning King.

† The Moguls have at different times resided at other favourite cities, as Azmeer, Canouge, Agra, and Fettehpoor; but the rites of coronation have been always performed at Dehly, as well as in general all acts of government. *Purchas.*

‡ Dow's HINDOSTAN. Appendix, page 57.

§ The Hindostanners have had frequent examples in Persia of this treatment of kings for private purposes since the time of Nader Shah. See *LETtres EDIFIANTES*, Vol. 28, page 227.—In a letter from Pere Grimod, dated at Isfahan the 20th August 1750, “Depuis la mort de Nader Chah, il y a eu cinq Rois, trois ont été massacrés, le quatrième aveuglé, le cinquième a été proclamé de puis peu. C'est un enfant. Il n'a été fait Roi, dit on, que pour la montre et pour donner occasion à ceux qui l'obsèdent de tuer des sommes considérables des villes éloignées.”

of the government, the Emperors themselves became the tools of their own traitorous officers. Thus the Omrah Gazi al Deen Khawn, who was Bückshy of the empire, or paymaster of the troops, in the year 1753, dethroned his master the Emperor Ahmed Shah, who was the son and successor of the before-mentioned Mahomed Shah; from which period the Mogul empire with the greatest propriety may be considered as totally subverted and not existing. From that time, whatever pretend-ers there have been to the title, there has been properly no Emperor; almost all the provinces which were then tributary to Dehly having been disunited, and become so many separate, independent governments.

The rebellious Omrah Gazi al Deen Khawn, after dethroning his Sovereign, sent him to prison, where the several other Princes of the royal blood were also kept confined; and he afterwards obliged a surgeon who had been long in the Emperor's service, named Yacoub Jan, and who is now retained in the employ of Mahomed Reza Khawn at Murshedabad, to put out his Majesty's eyes.

At the very time this rebel put out his master's eyes, he took another Prince, named Yaz al Deen, out of prison, whom he placed nominally upon the throne of Dehly, by the name of Allum Guccer; and after having used this Prince as an instrument till he found him grow troublesome, he then laid a snare for him, and some time in the month of December 1759, had him assassinated.

After the murder of Allum Guccer, the ambitious Gazi al Deen Khawn took another Prince out of prison, and placed him in like manner on the throne of Dehly, by the name of Shah Jehān; but the ambitious views of this traitor being defeated on the invasion of the Dehly provinces, engaged in by the Marahthas in the year 1761, he then thought fit to retire from the scene of public villany, and fled into the country of the Jates.

The mock Emperor Shah Jehān, having sat in shadowy greatness but a few weeks on the throne of Dehly, was suddenly deposed and again imprisoned by the conquering Marahthas, who in his stead placed on the throne, JEWAN BUKHT the eldest son of ALLY GOHAR, another prince of the line of Tamerlane, whom Gazi al Deen had, among the rest, kept a state prisoner. This Prince, ALLY GOHAR, who is the eldest son of the before-mentioned Allum Guccer, is the same whom the English East India Company afterwards created EMPEROR OF HINDOSTAN.

Akhmet Abdalla, chief of the nation now called Durannies or Abdallas, a native of Candahār, who had raised himself from being a Chubukar of Nader Shah's, and, in the confusion which ensued upon

↳ Nadir's



Nader's death, had usurped all the northern provinces ceded to Persia by Mahomed Shah, was at this time grown very powerful. He had already once invaded Hindostân, and fought several battles with the Marahtahs, with whom the contention in fact was, who should place a King on the throne of Dehly, as a tool of their own. Upon his second invasion of Dehly he gave them a total overthrow, on the 8th of February 1760 : but was pleased to confirm the appointment made by the Marahtahs of the young Jewân Bukht to the throne, now circumscribed in authority to the provinces of Dehly ; and after settling the annual tribute to be paid by the young nominal King, for the provinces thus conferred upon him, and putting him under the guardianship of a Rohilla Chief, one of his own creatures, named Nigib al Dowlah, Abdalla returned to his own country.

In the mean while, that is, some time in the year 1758, the before-mentioned Prince, ALLY GOHAR, had found means to escape from the prison in which he and several brothers had been born, at Dehly ; and it was his good fortune at last to fall into better hands than his predecessors had done, those of the English East India Company. But it was not, however, till after the unfortunate Prince had received many rebuffs, and experienced various calamities, that the English Company condescended to *create him their GRAND MOGUL*.

After his escape from prison, he led a vagrant kind of life for about nine months, till he was drawn into a snare by the famous Gazi al Deen, and again confined. By an act of gallantry he freed himself from this second confinement, and sought refuge with a Marahtah Chief, named Itul Row, who protected him for some months, plundering the country in his name. Tired of his situation with this Chief, he next betook himself to the before-mentioned Rohilla Chief, Nigib al Dowlah, at Secundra ; who, not choosing to engage in his schemes, was soon quitted by him, and he went over to Sujah al Dowlah \*, Subahdâr of Owd, who also preferring the independence which the confusion of the empire had given him, made the Prince Ally Gohâr a small present, and desired him to quit his dominions.

Our wandering Prince, who was also known by the name of Shali-zada during the life of his father, Allum Gueer, next took refuge with Mahomed Kuli Khawn, Nabôb of Illahabâd, with whom he concerted a plan for invading and taking possession of the territories of

\* The same who in 1764 was conquered and driven out of his dominions by the English Company, some time before the arrival of Lord Clive at Calcutta, by whom he was afterwards restored.

Bengal, having for that purpose some time before had the caution privately to obtain from his father a grant of that sùbahship, as a royal favour.

Accordingly an army of desperate adventurers and disaffected Zemindárs being collected together, about the end of December 1753, they marched from Illahabád towards Bengal, to take possession of those provinces, which, in fact, the English East India Company's Governor, then Colonel Clive, had in June 1757 taken from the Nabób of Bengal, Serajah al Dowlah, and conferred on one of his officers named Meer Jaffier Ally Khawn.

Our Prince was very unsuccessful in this expedition ; and so little respect did the English in Bengal hold him in at this period, that Colonel Clive, at the request of his new made Subahdár Jaffier Ally Khawn, marched to \* punish those Rájahs " who *had dared to join him.*" The Prince represented to the Colonel in a very pathetic letter, " that " he had no intentions against Meer Jaffier's life or *government*, that all " he aimed at was an army to make head against the Vizier ; and that " if it pleased God to favour his cause, the Colonel might command " any advantages for the Company or himself." Colonel Clive having communicated this to the Nabób's son and ministers, it was on all hands agreed, that " it would be dangerous to have a Prince of the " blood in any of the provinces. The Colonel therefore sent back the " messenger with a respectful letter and a present of about *one thousand " pounds sterling* ; which behaviour so charmed the Prince, that he sent " word to Colonel Clive he would force himself under his protection, " and dare him *to deliver him up* ; but the Colonel was necessitated to " answer, that *he acted under the Subahdár Jaffier Ally Khawn's orders*, " and would therefore by no means advise him to put himself in *his " power*. Whereupon our Prince was obliged to seek some other refuge ; " and the Colonel, to intimidate the neighbouring powers from ever " disturbing the Bengal provinces again, thought fit to shew his resentment to Sujah al Dowlah (who had assisted the Prince) by representing " to him, that as he could not but know the inviolable friendship subsisting between him and Meer Jaffier, he wondered he should presume to send forces into *his country* ; that if he still persisted in " sentiments of enmity, he ought to own it frankly ; in which case he " (Colonel Clive) would march up again after the rains, and appeal to " to the decision of the sword."

\* See Mr. LUKE SCAFTON's Letters, entitled, *Reflections on the Government of Hindostan.* Pages 117, 118 and 119.

It was not convenient to the English in Bengal at this time to acknowledge the authority of this Prince. It may not however be amiss now to turn our eyes to the other side of India, and see the uses made of GRAND MOGULS by the Company on the Malabar coast, in the curious reasons given by Mr. Spencer, afterwards Governor of Bengal, in an apology to THE MOGUL, for taking his Majesty's port and city of Surat in the year 1759. As an extract would do injustice to the subject, we beg leave to refer the reader to the bottom of the page for the copy at large of Mr. Spencer's representation \* to the Mogul on the occasion.

Things continued quiet in Bengal for a short time; but in the year 1760 the Prince renewed his attempts on those provinces; and though

\* A REPRESENTATION made to THE MOGUL by JOHN SPENCER, in behalf of the Honourable English East India Company, 1759.

" That by virtue of royal Firmauns of your Majesty's predecessors, the English hitherto enjoyed  
 " favour at Surat, and carried on their business in a reputable manner, till in these days, that the  
 " Siddees usurping an undue authority in the town, used it to the ruin of the city in general, *the*  
 " *lives and properties of your Majesty's subjects, being made light of by them, and they even proceeded*  
 " *so far as to take away the lives of Our people,* in direct breach of your Majesty's Firman; and in  
 " short, instead of being the protectors of the place, became the oppressors of it to such a degree,  
 " that the just orders of your Majesty were no ways regarded in this city by their means, and things  
 " were come to this pass, that though in consideration of the *Tunkhaw* † the Siddee was to protect the  
 " Bar, yet so far was he from doing it, that for many months past a huge fleet of Sanjayee Punt's  
 " (Ballajee Row's Naib) entirely shut up the Bar, as did a large land-force by land, to the infinite  
 " detriment of the place and inhabitants in general, without the Siddee's interfering therein; and  
 " there was the greatest reason to believe, that unless some speedy and rigorous measures had soon been  
 " pursued, your Majesty's famous city of Surat, the only port of good Mussulmen to the tomb of your  
 " prophet, *would have been brought to flames.* In such circumstances, the eyes of the whole town  
 " were cast on us, as the only persons of force sufficient to save the city from the calamities that it  
 " then felt, and was still further threatened with; and in consequence of their solicitations to me,  
 " though our business in these parts of the world is only to trade and merchandize, and we are not de-  
 " sirous of taking or governing cities or countries, yet as all the inhabitants of this place, great and  
 " small, were earnestly desirous of it, and I saw it was for the good of the place, I wrote to the Ge-  
 " neral of Bombay on the subject, in such manner, that at an immense expence he sent hither, in  
 " Our King's ships, a great force of good and experienced men, with a large quantity of artillery and  
 " other warlike stores on all sorts, with which I have had the happiness to procure safety to the city,  
 " and ease to the inhabitants, and have secured an entire currency to your Majesty's orders in the  
 " place, and your Majesty's authority by all ways in our power will be preserved in this place as it  
 " used to be; and you will consider the English as desirous of receiving your orders, such being the  
 " mention of the Governor of Bombay and myself, whose whole power will be used to maintain the  
 " castle, that we have just taken possession of for your Majesty, and to preserve the Bar and sea open  
 " against all opposers, on your behalf, for we shall not apply the Tunkhaw you have granted for  
 " this purpose to others, as has hitherto been the case; and since our having done this, the enemies  
 " that surrounded the place both by sea and land, to its great prejudice, have been removed. We are  
 " always ready for the safety of the castle and city, with its inhabitants, and therefore beg for your  
 " Majesty's favour in favour of the Honourable English Company, for whose good services on this  
 " occasion I beg to refer your Majesty to the representation of the inhabitants of the place. See the  
 " account of them in *India*, by Richard Owen Cambridge, Esquire. 4to 1701. page 226.

† The Tunkhaw is a grant by the Mogul for maintenance of a fort at Surat.

they always proved unsuccessful, yet they kept the country in troubles for about three years; during which time he made several other offers to the English of *carte blanche*, as appears in a letter from Governor Holwell \*, who succeeded Colonel Clive in Bengal, dated Calcutta, the 14th June 1760, directed to the then Commander of the army. He was distressed and harrassed to such a degree during these campaigns, that on the 8th of February 1761, he was obliged to surrender himself to the Commander of the British forces, then Major Carnac, at Goyah, in the province of Bahár. During his intercourse with the English, having received advices from Dehly of the assassination of his father Allum Guerr, he made them various offers, and repeated his proposals to induce them to join him in his favourite scheme of obtaining the throne of Dehly; but finding that the English would do nothing for him, except the farce of their proclaiming him EMPEROR at Patna, he was necessitated to seek some other refuge; and therefore, about the 21st June 1761, he took his leave of the English, and that day quitted the Bahár province. But he afterwards had recourse again to the Nabób Sujah al Dowlah, who upon this second visit, confined him and kept him a close prisoner, making the same tool of him as Gazi al Deen, the Marahatls and Abdalla respectively had done before of the other Princes of the blood.

About the end of the year 1763, the English having expelled Cossim Ally Khawn from the subahdary of Bengal, that Nabób had retired with his treasure and some of his adherents into the dominions of Sujah al Dowlah, whom he at length persuaded to join him in an attempt to recover his lost subahship. Accordingly, in the month of February 1764, Sujah al Dowlah came down with a considerable force into the province of Bahár, and brought our Prince Ally Gohár with him. The English army, then under the command of Major Hector Munro, met them at Buxar, and on the 23d October 1764, after a very obstinate battle, defeated and pursued Sujah al Dowlah into his own dominions. In his flight he left the Prince behind him, who once more threw himself on the English for protection.

The English East India Company from this period became possessed of our Prince, and they did not any longer neglect to profit by the many examples before them, of making a proper use of him. It was

\* See Mr. HOLWELL'S LETTER to MAJOR CAILLAUD.—*India Tracts*, page 52.—“The situation of the Prince at present is such, that I am sure he would readily and thankfully hearken to an overture from us, and without hesitation grant a Firman appointing the Company perpetual Subahdars of the province. His two Firmans to me, as I before advised you, offered *Carte Blanche* for the Company; and I dare say that to you was of the same tenor.”

fortunate for him, from his having at this time no friends to whom he could have recourse with reliance for even mere personal safety, that there could be no necessity for his being actually confined in so abject a situation; nay his new guardians, who in every respect treated him with more kindness than those who had before had possession of him, even allowed him, while he continued in their camp, a certain sum for his daily subsistence. From this period we shall give this unfortunate man his newly acquired titles of "Emperor," "Grand Mogul," "Shah Allum the Invincible," or "King of the World."

The English were successful in totally expelling the Nabôb, Sujah al Dowlah, from his dominions; and while it was yet uncertain how they would dispose of his country, our Grand Mogul sent a petition to the President and Council at Bengal, which was transmitted to them by Major Hector Munro, dated from the camp at Banâras, the 22d November 1764, of the Company's translation of which, the following is an exact copy.

"If this country is to be kept, put me in possession of it, and leave  
 "a small detachment of the troops with me, to shew that I am protected  
 "by the English, and they shall be at my expence; that if any enemy  
 "comes at any time against me, I will make such connections in the  
 "country, that with my own troops, and the aforementioned small de-  
 "tachment, will defend the country without any farther assistance from  
 "the English; and I will pay them of the revenues of the country what  
 "sum they shall demand yearly. If the English will, contrary to their in-  
 "terest, make peace with the Vizier\*, I will go to Dehly; for I can-  
 "not think of returning again into the hands of a man who has used  
 "me so ill. I have no friends I depend on more than the English;  
 "their former behaviour to me will make me ever respect and regard  
 "them: now is their time to be in possession of a country abounding  
 "with riches and treasure; I shall be satisfied with whatever share they  
 "please of it. The Rohillas were always enemies to the imperious Vi-  
 "zior: they are all my friends."

*The President and Council of Calcutta having considered the Emperor's petition, resolved that they would keep a part of Sujah al Dowlah's dominions for the use of the East India Company, and put his Majesty in possession of all the rest. Accordingly a paper was drawn up, dated*  
 ——— December 1761, and sent up to Major Hector Munro, Com-

\* This means Sujah al Dowlah, who, whilst he had our Grand Mogul in his possession, had created himself Vizier.

mander in Chief of the army, with orders for him to get it executed by his Majesty. The following is an exact copy of their translation of this paper from the Persian.

“ In consideration of the assistance and fidelity of the English Company, which has freed us from the inconveniencies we laboured under, and strengthened the foundations of the empire which God has given us, we have been graciously pleased to grant to the English Company our royal favours, according to the following articles, which shall remain firm, both at present and in future.

“ As the English Company have been put to a great expence, and their affairs exposed to danger by the war with the Nabôb, Sujah al Dowlah, unjustly and *contrary to our royal pleasure* waged against them, we have, therefore, assigned to them the country of Ghazipore and the rest of the Zemindâry of Bulwant Sing, belonging to the Nizâmut of the Nabôb Sujah al Dowlah; and the regulation and government thereof we have given to their disposal, in the same manner as it was in the Nabôb Sujah al Dowlah's. The aforesaid Râjah, having settled terms with the Chiefs of the English Company, is according thereto to pay the revenues to the Company; and the amount shall not belong to the books of the royal revenue, but shall be expunged from them. The army of the English Company having joined our standard, shall put us in possession of Illahabâd and the rest of the countries belonging to the Nizâmut of the Nabôb Sujah al Dowlah, and the revenues, excepting those of Râjah Bulwant Sing's Zemindâry, shall be in our entire management and disposal.

“ As the English Company will be at a farther expence in putting us in possession of Illahabâd, and the rest of the Nizâmut of the Nabôb Sujah al Dowlah, we will therefore, as we get possession, *grant to them, out of our treasury*, such a proportion of the revenues as the exigencies of our affairs will admit of; and when we are put in full possession, we will reimburse the whole expences of the Company in this business, from the time of their joining our royal standard.”

His Majesty, as might be expected, very readily agreed to the contents of this paper; and accordingly, a few days after the receipt of it, that is, on the 29th December 1764, his imperial fûnnud, or firmaun \* was issued, confirming the same. In consequence of this agreement, his Majesty was put in possession of Illahabâd and all the Subaship of Owd, excepting the Râjahship, or Zemindâry of Bulwant Sing, at whose principal city of Bandras a factory was established by the Governor and

\* See this fûmann at large in the Appendix N° XIV. page 21.

Council for the collection of the revenues, which were latterly fixed at twenty lacks \*, or about 250,000 l. sterling *per annum*.

Before the advices of this successful situation of the Company's affairs could be received in England, the East India Company were greatly alarmed, and had appointed the Right Honourable Robert Lord Clive, as Governor and Commander in Chief, together with a Select Committee, who were sent from England, furnished with ample powers to pursue whatever means they should think proper to establish the peace and tranquillity of Bengal. Upon his Lordship's arrival in Bengal, on the 3d of May 1765, he actually found the general affairs of the Company, and of the settlements at Bengal in particular, in a more flourishing state than they had ever been known; and that, in fact, there was nothing in the general out-lines of government for him and his Committee to do, from which either reputation or just emolument could be reaped, unless they cut out work for themselves. They, therefore, resolved upon abolishing the treaties then subsisting, which had been but lately entered into; and to model the commercial as well as political affairs of the Company upon an entire new plan †. Their motives for this alteration, which the Company will ever have reason to lament ‡, cannot with propriety be fully considered in this place: suffice it that we relate those particular circumstances which materially affected the affairs of the Prince of whom we are speaking at present.

Among the alterations determined upon, this prince was to be deprived of that part of the Nizâmut of the Nabôb Sujah al Dowlah with which he had already been invested by a solemn treaty, and the Company was to give up the Zemindâry of Bulwant Sing, all of which were to be restored to the said Nabôb, against whose wealth, as Mr. Dow || justly observes, the virtue of some of our revolutionists was by no means proof, upon his paying to the Company the sum of fifty lacks of rupees, or about 625,000 l. sterling. Our Grand Mogul was likewise to be supposed to have been actually in possession of the provinces of Bengal: under which supposition, he was to give a paper granting to the Company, not only the office of the Dewannee § of those provinces, but the

\* This Zemindâry actually yielded to the Râjah at least seventy five lacks, or about 937,500 l. sterling.

† See a comparative view of the different treaties in our sixth chapter.

‡ It was this alteration of the Company's affairs, and the consequences of it, which laid the foundation of all the enquiries and publications that have since laid open their affairs, which subjected them to the hush-money they now pay to the government, and which in its further consequences will most probably put an end, if not to the Company itself, at least to the present system of its affairs, as indeed is now become highly necessary.

|| Dow's HINDOSTAN, *Appendix*, page 78.

§ This *Dewanee* is explained at large in the 4th chapter.

revenues also; by which of course, all the treaties with the Nabôbs of Bengal were rendered void, and new ones made necessary. He was likewise to confirm to the Company the lands before granted to them by the former Nabôbs, Jaffier Ally and Cossim Ally Khawn, and to confirm Lord Clive's jagueer. For all which our Mogul was to be paid, by the English Company, from Bengal, the annual sum of twenty-six lacks for his expences and the support of his dignity: and he was to be continued in the possession of Corra and part of the province of Ilahabâd.

The Select Committee at Calcutta had not the least doubt of *his Majesty's* complying with all this very readily; because, as they expressed "it \*, *The King is now dependent on our bounty*, his whole hopes of *protection, and even of subsistence*, rest upon us; it cannot, therefore, be "supposed he will prove obstinate in denying a request, of little consequence to him *in his present circumstances*, but advantageous to us, "his greatest benefactors, and we may say his only friends."

These were not all the uses which, upon this occasion, were to be made of our GRAND MOGUL. Upon the same principles as before, *fûnnuds* for the provinces of Sicacole, &c. in the Dêckhan, valued at the yearly revenue of thirty lacks, or 375,000 l. sterling, were to be obtained also; in which Lord Clive was resolved to succeed, as he informed his Select Committee, at Calcutta, in the following words.

† "I have been desired by the President of Fort St. George to obtain "fûnnuds for the five northern provinces, which, being a matter of "great importance, I shall make a point of succeeding in it; and as "the Nabob (of Bengal) *intends* purchasing his Majesty's favours at the "price of five lacks of rupees, I make no doubt that all the fûnnuds "demanded on the Company's account will be *afforded gratis*."

To be sure there was not the least doubt to be entertained upon any of these occasions; for if the youngest writer in the service had been sent with the authority of the Company to our *Shah Allum*, it was certain that *his Majesty* would have granted away the remainder of *his empire, the whole world*, for the sake of a subsistence, and the security of his person: accordingly, the grants required of him were obtained under his *Imperial fûnnuds, or firmauns*, as given in the Appendix, Numbers XVII. XVIII. XIX. XX. XXI. and XXII. pages 27 to 36.

The reader will please to observe, that this is the same Prince whom the same Governor, then Colonel Clive, had before opposed, and even

\* The words of their proceedings at a Committee of the 21st June 1765.

† LORD CLIVE's Letter to the Select Committee, dated, Mooktejill, the 9th July 1765.



qualified the rebellious Rājahs for daring to join him; the Prince whose fānuuds, firmauns, or grants, had on many former occasions been declared absolutely invalid \*, against whom a formal treaty † had been entered into, between the Company and the Nabōb of Bengal, on the 27th September 1760, and whose pretensions even the Directors ‡ of the East India Company themselves had acknowledged to be extremely doubtful.

The dependence, however, of this unfortunate Prince was not to be appropriated to these public uses only. If we may believe the accounts from India, many others of a more private nature were likewise made of him; and it is said, with the greatest appearance of truth, that he was not left to the free management of even those districts and the stipend, which were ultimately allotted to him; nor of his mints or his servants. As such matters would be proper objects of enquiry for Supervisors, it should be hoped, that the Directors will, for their own honour and the sake of justice, cause such an enquiry yet to be made, in order that their servants, if any of them have grossly abused the authority of their stations, may be made to suffer such punishments as they deserve.

Upon the whole of what has been set forth in this chapter, it may fairly be pronounced, on the most rational grounds, that in reality there has not been for some years past, nor is at this time, any Grand Mogul, or Emperor; that the whole country is in a state of anarchy, where there is no law, but that of the longest sword, and that we may agree with Mr. Dow, who says, with apparent truth on this subject, || “ that Hindostān is at present torn to pieces  
“ by factions. All laws divine and human are trampled under foot.  
“ Instead of one tyrant, as in the times of the empire, the country  
“ now groans under thousands, and the voice of the oppressed  
“ multitude reaches heaven. It would, therefore, be promoting the  
“ cause of justice and humanity to pull those petty tyrants from the  
“ height to which their villanies have raised them, and to give to so  
“ many millions of mankind a government founded upon the principles  
“ of virtue and justice.”

\* In a minute of Governor Vansittart, Colonel Caillaud and other gentlemen of the Council at Bengal, entered on the consultations, under date of the 12th January 1761, it is said, “ As to the Mogul’s firmaun, there was a time when the orders of Dehly had some weight at Bengal, but that time is no more. It is hard to say who is King at Dehly, or who will be.”

† See the 10th article of the treaty, N° VIII. in the Appendix, page 13.

‡ General letter to Bengal, dated 19th February 1766.

|| Dow’s HINDOSTAN. Appendix, page 36.

As to the unfortunate, though very generous Prince §, who is more particularly the object of our present consideration, and whom we now call THE GRAND MOGUL, we see him dependent for his subsistence upon the servants, in fact, of an incorporated society of English merchants, who have raised him to that exalted title for the serving of their own purposes; that he is made no other than their tool, and must, from necessity, be what they please to make him, at least while he continues among them and the government of that country remains on the present iniquitous footing.

§ Amidst all his misfortunes this Prince has given several instances of great generosity, particularly to the members of the Secret Committee, for their distinguished merit and disinterested services. One instance may be seen in Lord Clive's letter to the Court of Directors, of the 30th of September 1765, where it appears his Imperial Majesty had presented General Carnac with two lacks of rupees: See *Authentic Papers* concerning India Affairs, pages 9 and 10.—And another instance was given in the year 1767, when his Majesty likewise presented Colonel Richard Smith with two lacks more; as appears from the following minute of the Council at Calcutta.

At a consultation, held the 14th September 1767, present, Harry Verelst, Esquire, President, John Cartier, Richard Becher, James Alexander, William Aldersey, Charles Ffayer, and Alexander Campbell, Esquires.

"Received a letter from Colonel Richard Smith at Allahabad, dated the 15th ultimo, in answer to "the Board's letter, dated the 20th July, on the subject of the two lacks of rupees, he requested "their permission to receive as a gratuity from the King; offering several arguments to our consideration, and acquainting us with His MAJESTY's absolute refusal to receive back the *Teeb* he had "granted: therefore inclosing it for us to dispose of, as might seem most equitable."—The late Nabobs of Bengal have likewise, though distressed, given frequent instances of the like grateful generosity to their benefactors.

#### C H A P. IV.

ON the NATURE of the OFFICE called DEWANNEE, and the Motives for the EAST INDIA COMPANY's pretending to hold the TERRITORIES in BENGAL under that TITLE.

NOTHING could have been better calculated for a blind than this hard word *Dewanee*, which, while it served our Eastern politicians to amuse even the British legislature, was no other than the name of an office that in reality had not existed for many years past. In order to form the most impartial judgment of what it is, or rather was, we will have recourse to the information of those gentlemen who, having acted capital parts in the management of the affairs of Bengal, may naturally be supposed to be well acquainted with the matter.

Mr. Vansittart, late Governor and intended Supervisor of Bengal, tells us, the Dewannee \* is the office of the *second* † officer of the province, called Dewân; whose business it is to superintend the lands and collections; that he is appointed *from the court of Dehly*, and is in every respect independent of the Nâzim, or Nabôb; who, *according to the original institution of the empire, has no right to interfere in the management of the revenues.*

—As explained in a letter ‡ to the Court of India Directors, dated Calcutta, the 11th March 1762, from sundry members of their then Council in Bengal, the Dewannee is said to be “The collection of the revenues of all the provinces subject to the Nabôb, which are to be accounted for with the court of Dehly. It differs from the Subahdâree; the latter being the command of the troops, and the charge of the jurisdiction in the provinces, the expences whereof are paid out of the revenues by the Dewân. It was formerly a separate office; but the Nabôbs of Bengal, taking advantage of the late commotions in the empire, *have assumed it to themselves.*”

Mr. Holwell, also formerly Governor in Bengal, tells us, upon the subject of the Dewannee §, that “the rents of the lands are *the property of the Emperor*. In consequence of which he has a royal Dewân in every Nabôbship, who ought to be accountable to the royal treasury for the whole amount of the rents, as rated upon the King’s books: but as there is always a good understanding between the Dewân and the Nabôb, they never are at a loss in pretending reasons for the rents falling short, though the whole is strictly and fully collected. What is diverted from the royal treasury, is divided between the Dewân and the Nabôb, of which the latter always takes the lion’s share.”

On another occasion the Dewannee is explained to be, “The collecting § of all the revenues; and after defraying the expences of the army, and allowing a sufficient fund for the support of the Nizâmut, *to remit the remainder to Dehly, or wherever the King shall reside or direct.*”

This Dewannee, which was assumed by the said Right Honourable Lord Clive and his Select Committee, a little while before the writing

\* VANSITTART’S NARRATIVE, Vol. I. Explanation, page 23, and Introduction, page 4.

† The Vizier is the first.

‡ See the 27th paragraph of a Letter signed Eyre Cooté, Peter Amyatt, John Carnac, William Ellis, Stanlake Batson, and Harry Verelst, in HOLWELL’S TRACTS, page 92.

§ HISTORICAL EVENTS, Part I. page 220.

§ Paragraph 22d of a Letter from the SELECT COMMITTEE IN BENGAL, dated 30th September 1765, signed, Elue, William Brightwell Sumner, John Carnac, Harry Verelst, and Francis Sykes. AUTHENTIC PAPERS, page 83.

of the letter last quoted, had been long before repeatedly offered to the Company, as hath been shewn in the preceding chapter, but was always rejected. The words of the Court of East India Directors, as contained in a letter on this subject to their then Governor and Council at Calcutta, were these; \* “ Your refusal of the Dewannee of Bengal, offered by *the King*” (meaning our Prince Ally Gohár) “ was certainly very right; and we are well satisfied with the just and prudent reasons you give for declining that offer.”

The reasons for not taking it were then alledged to be, that it would be the source of continual disputes with the Nabób, by occasioning too great a diminution of his power, be a continual cause of jealousy and contention with the country powers, and the European nations who had settlements in Bèngal, might subject the affairs of the Company to the interference of the British legislature, or in the end might be attended with other consequences highly prejudicial to the interests of the Company.

To investigate in this place all the private reasons which occasioned this Dewannee’s being thus assumed by Lord Clive and his Select Committee, would be foreign to the purpose here intended: but of those publicly avowed or alledged in the aforesaid letter, from Lord Clive and his Committee, of the 30th September 1765, we will briefly take notice.

“ The perpetual struggles for superiority between the Nabòbs and your agents, together with the recent proofs before us of notorious and avowed corruption, have rendered us unanimously of opinion, after the most mature deliberation, that no other method could be suggested of laying the axe to the root of all those evils, than that of obtaining the Dewannee of Bengal, Bahár and Orissa for the Company †.”

“ By this *acquisition* of the Dewannee, your possessions and influence are rendered permanent and secure; since *no future Nabób will either have power or riches sufficient to attempt your overthrow by means either of force or corruption.* The experience of years has convinced us, that *a division of power is impossible*, without generating discontent, and hazarding the whole. All must belong either to the Company or to the Nabób; and we leave you to judge which alternative is the most desirable, and the most expedient in the present circumstances ‡.”

\* Paragraph 55th of a GENERAL LETTER, dated 9th March 1763. A

† Part of paragraph 22d, page 82 of AUTHENTIC PAPERS.

‡ Part of paragraph 23d. Pages 84 and 85 of AUTHENTIC PAPERS.

In a separate letter from the said Right Honourable Lord Clive to the said Directors, also dated the 30th September 1765, the motives for this scheme of assuming the Dewannee are farther explained, in the following words. "Though the revenues belong to the Company, yet were the Company's officers to be the collectors, foreign nations would immediately take umbrage; and complaints preferred to the British court might be attended with very embarrassing consequences. Nor can it be supposed, that either the French, Dutch, or Danes will acknowledge the English Company Nabôb of Bengal, and pay into the hands of their servants the duties upon trade, or the quit-rent of those districts which they have for many years possessed by virtue of the royal firmans, or by grants from former Nabôbs \*." And again: "In considering the subject of the Dewannee, and the consequences of your large increase of revenues, I have already observed, that our acquisition will give no umbrage to foreign nations with respect to our territorial jurisdiction, so long as the present APPEARANCE of the Nabôb's power is preserved†."

Lord Clive and his Select Committee, in their letter to the Court of Directors, of the 30th September 1765, before quoted, speak still more plainly, if possible, of the difference in the Company's situation from the taking the Dewannee. Their express words are in the 29th paragraph. "You are now become the Sovereigns of a rich and potent kingdom‡." And in the 38th paragraph. "You are now not only the collectors, but the proprietors;" meaning of the revenues of the Nabôb's dominions.

Among the many private motives hinted at for this manœuvre, we cannot conclude on this head, without taking notice, that a principal one was, to enable the gentlemen who planned and adopted this mode of government, to establish such monopolies of the trade of the country, and even of the common necessaries of life, FOR THEIR OWN PRIVATE EMOLUMENT, and to the subversion of the natural rights of all mankind, as to this day remain unparalleled in the history of any government, and of which we shall treat more particularly hereafter.

From what has already been said, we presume it will appear evident to every impartial person, that the DEWANNEE, whatever it had been, was an office which, when assumed, had no existence; the grant of it being received, or pretended to be received, from a Prince who, in fact, never had it in his gift; whose authority, on other similar occasions,

\* Paragraph 12th, *ad finem*. AUTHENTIC PAPERS, page 26.

† Paragraph 14th. AUTHENTIC PAPERS, page 28.

‡ AUTHENTIC PAPERS, pages 92 and 103.

had been publicly and wholly disavowed by the present receivers of the grant, and that the whole was a mere fiction, invented for the private purposes of the Company or Directors, and their servants or confederates: and to screen their seizing on the sovereignty of the country, by imposing upon and deceiving, if they could, not only the inhabitants of India and foreigners, but even the British nation; as we hope farther to prove by the corroborating facts contained in every subsequent part of this work,

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## C H A P. V.

Of the NABOB, otherwise called The NAZIM, or SUBAHDAR, of BENGAL.

FOR the better understanding of our subject, we will examine what this officer ought to be, according to the ancient institutions of the empire; what he has been for some years past, and what he now actually is; supporting what we advance by sufficient testimonies.

“ Though by the ancient constitution of the Mogul empire, of which the provinces of Bengal, Bahár and Orissa are parts, the Nabób, or Subahdár of those provinces was nothing more than the Mogul’s Viceroy, yet for many years past, as the strength of that constitution has been gradually declining, the Subahdárs of these and other provinces have been, in like gradation, assuming an independence of the court of Dehly: and the shock which the empire received, or *rather the subversion of it* (for it has never recovered, nor probably ever will, from the irruption of the Persians under Nader Shah) has so far confirmed that independence, that the relation between the Nabób and the Mogul is at present *little more than nominal* \*.”

Mr. Vansittart informs us, that “ The Nabób †, as he is usually termed, or properly the Názim of a province, is an officer of the Mogul government, appointed to superintend the affairs of the province, during the pleasure of the court. This commission extends *not even to the life of the possessor*; and in the early times of the empire it was

\* See pages 21 and 22 of a MEMORIAL to the KING’S MOST EXCELLENT MAJESTY. Dated the 3d February 1762; from the Court of East India Directors. Signed by Laurence Sullivan, Chairman, Thomas Rous, Deputy, and Eighteen Directors. Printed for J. Brotherton, Cornhill.

† VANSITTART’S NARRATIVE, Vol. I. p. 4.

“ usual to make frequent removals \*, to prevent the dangerous effects  
 “ of an increasing influence. Neither, according to the original insti-  
 “ tution, has he any right to interfere in the management of the reve-  
 “ nues; which branch belongs to another officer called The Dewân” (of  
 “ whose office we have treated in the preceding chapter) “ appointed also  
 “ by the court, and in every respect independent of the Názim. It is  
 “ true, that since the authority of the Emperors began to decline, the  
 “ Názims, taking advantage of the distractions of the state, have ge-  
 “ nerally established themselves in such a degree of independency as to  
 “ pay little more than a nominal obedience to the court. The forms  
 “ are still kept up; but they serve only to shew what was the original  
 “ institution. Upon the death of a Názim, the succession, whether  
 “ continued in the same family, or seized by a stranger, is not confi-  
 “ dered as valid till confirmed by the imperial patent; but this the  
 “ actual possessor finds no difficulty in obtaining †.”

Such have been the Nabòbs of Bengal since the decline, or rather, as the East India Directors more properly say, “ the subversion of the em-  
 “ pire,” according to the above quotations. But had those gentlemen boldly told the whole truth, they might have justly said, that since the period they refer to, the Nizâmut or Nabòbship of Bengal has, to this day, been continually possessed by usurpers and tyrants, who have been maintained therein by violence, fraud and murder.

Upon the demise of *the last lawful Nabòb, Sujah Khawn* ||, in the year 1739, his son Serfraz Khawn took possession of this government, and maintained himself in it for about three years, until the rebellion of Allaverdy Khawn, who was then Governor of the Bahár province. This man, who had formerly been Sujah Khawn’s Hookahburdár, or

\* Mr. Orme tells us, there was a time when these changes were so frequent, that a new Nabòb left Dehly, riding, contrary to the usual manner, with his back turned to the head of his elephant, and gave as a reason for it, “ that he was looking out for his successor.” See ORME’S HINDOSTAN, Dissertations, page 28.

† This alludes to a farce commonly practised since the subversion of the empire, of obtaining patents from these nominal Moguls who have been set up by the different usurpers at Dehly, of whom we have treated in our third chapter. In these times, a sum of money dispersed among the principal people about those usurpers would obtain the confirmation of any fúnnud, grant, or office. It was receiving so much clear gain for a supposed gift of what was not in the giver’s possession, and by which he could lose nothing. A striking instance of this mode of negotiation is given by Mr. Vansittart, in the third volume of his Narrative, page 418; where an intriguing Dewan, or minister of the Nabòb’s, named Nundcomar, obtains his own titles and seals before his master, Meer Jaffer, receives any assurances whatever of the royal appointment to the Nabòbship. Since Mr. Vansittart’s government, the *Grand Mogul’s* grants of that sort are become still cheaper; the domestic black servants of many gentlemen in the service of the English East India Company having been by him created Rajahs, or Princes; and many English gentlemen have returned to Europe with the title of Omrahs.

|| VANSITTART’S NARRATIVE, Vol. I. page 5.

pipe-bearer \*, after promoting an unparalleled scene of treachery among the perfidious servants of his master; defeated him in a battle fought on the 28th January 1741-2, in which the Nabôb lost his life.

From that period the traitor usurped the government of Bengal, and maintained himself in it against the repeated invasions of the Marahtahs, (which lasted for about eight years to the great destruction of the country and its manufactories) till, on the 10th of April 1756 †, he died a natural death.

This usurper was succeeded by his brother's grandson, the Tyrant Serajah al Dowlah, who, upon disputes with the English East India Company's servants, circumstantially related by Mr. Holwell and others, dispossessed them of all their factories, and on the 20th June 1756 seized and sacked their town and fort of Calcutta, or Fort William, when such of the English and their dependents as escaped the tyrant's fury took refuge on board the trading vessels then in the river, and dropped down to Fultah, where they led a most miserable life till December 1756, when the English Squadron, under the command of Admiral Watson, and the troops under Lieutenant Colonel Robert Clive, arrived from the Coast of Coromandel: Inconsiderable as this force was, they gallantly proceeded to the re-taking of Calcutta, and on the 3d January 1757, happily accomplished the work, with scarce any loss; the enemy abandoning the fort on the very first ‡ summons from the guns of his Majesty's ships, when brought up abreast of the Fort.

The Nabôb Serajah al Dowlah came down to oppose the English, who by unparalleled instances of bravery and intrepidity, attended with the most extraordinary good fortune, baffled him in all his attempts, and forced him, with his numerous army, to retire to his capital of Murshebabad; having first, that is on the 9th of February 1757, obliged him to make a very advantageous treaty with them, wherein he confirmed all the former possessions and immunities of the Company, and granted them several new privileges, as may be seen by the treaty at large, and his Perwânahs, in the Appendix, N<sup>o</sup> I. and II. pages. 1 and 3, &c.

This was the first formal treaty that our Company had ever entered into with any Nabôb of Bengal. It was solemnly ratified in the strongest manner, the Nabôb swearing on the Korân, by God and Ma-

\* SCRAFTON'S REFLECTIONS, page 31.

† SCRAFTON'S REFLECTIONS, page 59.

‡ Ditto, page 60.



homed, and Colonel Clive pledging the names of God and our Saviour faithfully to observe the same.

Necessity †, which in *politics* usually supersedes all oaths, treaties, or forms whatever, induced the English East India Company's representatives, about *four months* after the execution of the former treaty, to determine, "*by the blessing of God,*" upon dispossessing the Nabôb Serajah al Dowlah of his Nizâmut, and giving it to another.

Monsieur Dupleix, the French Governor of Pondicherry, who "was the § first discoverer of the superiority of European discipline" over the natives of this part of India, had already, with his successes on the coast of Coromandel, invented the traffic in Nabôbships. Accordingly Meer Jaffier Ally Khawn, who had been a Jammadâr, or commander of a party of horse under the late Allaverdy Khawn, and was now a General ||, and related to the present Nabôb by marriage with Allaverdy's sister, having before manifested a bold and traitorous disposition, was the man pitched upon for our new Nabôb.

The particulars of this revolution are well known. The Nabôb Serajah al Dowlah, betrayed by his servant Jaffier, was, with his numerous army of "20,000 † horse, 50,000 foot, and 50 pieces of heavy cannon," beat on the plains of Plassey, on the 23d June 1757, by a handful of men under the command of Colonel Clive, and the Nabôb himself obliged to escape in disguise. Happy it was for us that this numerous army made so little resistance that, according to Mr. Scrafton, we had "only seventy men killed and wounded."

In consequence of this victory, and the conditions which had been previously stipulated with Meer Jaffier, on the 29th June 1757, he was by \* Colonel Clive formally placed on the mûsnud or throne of the Na-

† About this period the English at Calcutta received news of war's being declared against France; and they at the same time discovered, that the French were secretly negotiating with the Nabôb Serajah al Dowlah. It was thereupon resolved to set aside a neutrality with the French which had been proposed, and to attack their settlements immediately, a resolution no sooner taken than luckily executed. While the Nabôb was actually amused, a squadron of his Majesty's ships, under the commands of Admirals Watson and Pocock, with the Company's troops under the command of Colonel Clive, invested Chandernagore, the principal settlement of the French in Bengal, which, on the 23d March 1757, they took, after a few hours cannonading from our ships, and afterwards razed their town and fortifications level with the ground.

§ See A LETTER to the PROPRIETORS of EAST INDIA STOCK, from LORD CLIVE. Page 4, printed for J. Newberie, 1764.

|| See Mr. Scrafton's character of "Meer Jaffier," in a Letter to the Proprietors of East India Stock, from Mr. Henry Vansittart. Page 44, &c. printed for J. Newberie, 1767.—And Mr. Scrafton's Reflections. Page 75, &c.

† SCRAFTON'S REFLECTIONS. Page 85 to 88.

\* SCRAFTON'S REFLECTIONS: Page 93.

Nabôbs of Bengal, at Murshedabad. A treaty \*, confirmed as usual by the oaths of the contracting parties, was also entered into between him and the English Company, whereby he not only confirmed all their former possessions and privileges, and the treaty lately made with his predecessor, but granted also several considerable new privileges and territories, besides paying immense sums of ready money, both to the Company and to individuals, as may be seen by the copies of the treaty and subsequent agreements at large in our Appendix, N° III. to VII. pages 5 to 10.

In the mean time, the expelled Nabôb Serajah al Dowlah was discovered on his flight at Ragemahl, seized, and sent down by Meer Jaffier's brother to the city of Murshedabad, on the 4th July 1757, where he was † privately murdered by order of our new Nabôb.

This was the first Názim, or Nabôb created in Bengal by the English, who, after their recent and repeated successes against the late Nabôb, the French, and the ‡ Dutch, had acquired so great a reputation, and spread such terror through the country, that there is no doubt they might with ease have marched to Dehly. Revolutions were now become a trade, or at least a fund to supply the exigencies of the English East India Company and their substitutes: Meer Jaffier was soon judged to be incapable, and not a proper person to hold the government that

\* It was on this revolution that Colonel, now Lord Clive was created or "made an Omrah" of the *Empire by Meer Jaffier*, who had just before received his Nabôbship from the Colonel's hands. See his *Englishman's Letter to the Proprietors of East India Stock*, page 35, printed for J. Nourse, 1764, and Mr. Scrafton's *Reflections*, page 91, &c.

For form's sake, the farce of a Mogul's Firmaun, already mentioned in our note page 38, was to be exhibited; and as there was in fact no real Emperor to grant it, application was made at Dohly for the seal of Allum Gueer, the prince who was taken out of prison, set up, and afterwards murdered by Gazi al Deen Khawn, and whose Firmauns to his son Ally Gohâr, at another time, Colonel Clive was so far from admitting, that he marched to chastise the rebellious adherents of that prince upon the occasion. By virtue of this title of Omrah, conferred on him by his own Nabôb, Colonel Clive was supposed to maintain 6000 horse, for the support of which the said Nabôb "made him a Jagueerdâr," (see Lord Clive's Letter, page 34) "or Lord of the lands" ceded by the before-mentioned treaty to the English Company, upon which the well-known yearly income, called *Jagueer*, of near 30,000 l. sterling, was acquired by the Colonel.

† SCRAFTON'S REFLECTIONS, page 94.

‡ The Dutch of Bengal seeing the uses which on all hands were made of Moguls and Nabôbs in this distracted state of the country, from the superiority of European discipline, formed in their turn the design of trying their fortune in the same way. The project was sent from the Dutch settlement of Chuturah in Bengal, and adopted by the government of Batavia. According to which, upon a well concerted but badly executed plan, a formidable body of European and Malay troops, with seven ships, were, towards the end of the year 1750, imported into Bengal, but were defeated in their attempts by a bravery which will ever do honour to the English, upon which the Dutch were obliged to accede with disgrace to very disadvantageous articles of accommodation with the English and their Nabôb, and to take their troops back again. The particulars of this affair may be seen at large in the English and Dutch memorial, printed 1762, for J. Brotherton in Cornhill.

had been entrusted to him ; which, together with the low state \* of the Company's finances, and other objects of the like *political necessity*, made another revolution requisite before the expiration of three years and four months.

Upon this foundation it was determined to depose Meer Jaffier ; and a treaty was accordingly entered into, *in the name of God*, with Meer Cossim Ally Khawn, who had married Meer Jaffier's daughter. Meer Jaffier was displaced without any commotion or bloodshed, and Meer Cossim, though distinguished at first with the title only of Naib or Deputy-Nabôb, was raised to the Nizâmut of Bengal, independent of his father-in-law, who was brought down to the English settlement at Calcutta, and had a monthly stipend allowed him there for his subsistence.

The treaty entered into with this new Nabôb was dated the 27th September 1760, in which, besides other advantageous stipulations, Sûnnuds or patents were given, granting to the English East India Company, to defray their expences and pay their troops, the lands of Burdwan, Midnipore and Chittigong, yielding a clear annual revenue of about 600,000 l. sterling. And it was particularly stipulated, by the 10th article of this treaty, that the Prince Ally Gohâr, the Grand Mogul mentioned in our third chapter, " should not be suffered to get any footing in the country," as may be seen by the copy of the treaty, N° VIII. and the Sûnnuds, N° IX. in the annexed Appendix, pages 11 and 13.

The Nabôb Meer Cossim soon convinced the English that they had been deceived in their opinion of him. He was found to aim at an independency, which of course was esteemed by no means consistent with the Company's interest ; and in other respects he became so troublesome, that before the expiration of three years from his elevation to the government, it was thought expedient to remove him : a measure which was not now in any respect so easy to execute as in the time of his predecessor. War therefore was formally declared on the 7th July 1763 †, and the English resolved on the reinstatement of Meer Jaffier, to which they were in some degree instigated by the hope of strengthening their party with the adherents to, or partizans of that Nabôb, who also took the field with them for that purpose, a treaty being previously entered into which was to take effect upon the defeating and expelling of his adversary.

\* See VANSITTART'S NARRATIVE, Vol. I

† Ibid. Vol. III. page 329.

Meer Cossim's troops being well paid, disciplined, and accounted, fought with great intrepidity; and had not his subordinate commanders proved deficient in personal courage, or even had he himself had the bravery to animate his troops properly by his own presence in the field, it is more than probable that the English Company would have been left, from that day, without a single foot of ground in those provinces. The success of the war was for some time so uncertain, that (contrary to all former practice) the writers and other young persons in the civil service of the Company were all accounted, disciplined and formed into a military corps; but by the blessing of God the issue of the battle of Garcea, wherein it was long doubtful which side would prevail, did at last turn in favour of the English, after the campaign had lasted about five months.

Meer Cossim fled, and was pursued from place to place, till he was at length totally driven out of his dominions, and forced to take refuge with the neighbouring Nabob, Sujah al Dowlah; upon which Meer Jaffier Ally Khawn was reinstated in his government.

By the treaty which was previously entered into with Meer Jaffier, on the 10th July 1763, and the subsequent agreement of the 16th September 1764, as in the Appendix N<sup>o</sup> X. and XI. pages 15 and 17, the reader will see, that all former rights and privileges were secured, and some considerable additional advantages were obtained by the English upon every revolution. The Nabob, as may naturally be imagined, after these transactions, was as much dependent upon the Governor and Council of Calcutta as could possibly be wished; even an officer of the Company's, as stipulated for in the 7th article of the treaty, was from that time stationed with him, under the denomination of the Company's Resident, on the view not only of being a watch and check upon the Nabob's transactions, but also to enforce the execution of any business the Governor and Council might think proper to resolve on.

Meer Jaffier did not continue long in his new station, having died on the 5th February 1765: and it was thereupon thought necessary, by the Governor and Council at Calcutta, to make such new arrangements for the management of all business at Murshedabad as might serve to render future Nabobs still more dependent, and consequently the Company more secure; for the execution of which design four gentlemen of the Council at Calcutta were appointed a deputation, who had directions not to fix the Nabob in the Musnud till he had agreed to their requisitions. The person fixed on for this nominal government was Najim al Dowlah, Meer Jaffier's eldest son; a youth then of about eighteen years of age. He was denied the liberty of a visiting

with those ministers of his father, whom he was desirous of continuing in office, because they were suspected of having embezzled a great part of the revenues, and of not being favourable to the views of the Company; nay the principal minister was soon afterwards seized, by order of the Governor and Council, and sent prisoner to Calcutta; when the Nabób found himself necessitated to appoint such other ministers and collectors as the English pointed out to him, so that an interregnum of several weeks \* passed before the business was finally settled: during which period Najim al Dowlah saw himself actually reduced to the alternative, of either acceding to the arrangements proposed, or of relinquishing all thoughts of the Nabóbship. Those arrangements, with respect to the collection of the revenues, were indeed judiciously made; and well calculated to prevent, in part, the very gross embezzlements which had before been practised, to the amount of near a million and a half sterling per annum. The more that was saved to the Nabób of the public money, the more remained, in fact, for the Company; but however proper such appointments might be, yet being totally repugnant to the inclination of the Nabób, they serve to point out his entire dependence, which indeed nothing can shew in a clearer light than the treaty itself; by which the Nabób was evidently deprived of his army, and the nomination of his ministers and officers of government. It was dated the 25th February 1765 (see the Appendix, N<sup>o</sup> XV. page 22); which every reader should attentively peruse, who wishes to form an adequate † judgment of so extraordinary and important a negotiation.

Soon

\* Notwithstanding much time passed in altercation, the treaty, when executed, was antedated to the 25th February 1765, being the very day on which the deputies arrived at Muihedabad. See *J. Johnson's Letter to the Proprietors of East India Stock*, 1766, p. 17.

† Upon all these revolutions large sums of money were obtained by the persons who conducted them from every new-made Nabób. In the midst of immense fortunes, suddenly acquired by these means, Lord Clive's stands the most conspicuous; who upon the making of Jaffer Ally Khawn, in 1757, obtained a jaguer of 30,000 l. per annum, exclusive of other immense presents. Upon the making of Najim al Dowlah, on Meer Jaffer's death, in 1765, the gentlemen deputed from Calcutta, upon that business, likewise received considerable presents; which Lord Clive and the Select Committee, who arrived at Calcutta soon after, greatly disapproved of, and set on foot a very severe enquiry into the conduct of the deputies on that occasion. In a Letter to the Proprietors of East India Stock, printed in the year 1766, p. 53, Mr. *John Johnson*, who was chief of the deputation, in vindication of his own conduct, thus recriminates on his Lordship, who was the leader of those enquiries: "Did the Nabób Jaffer Ally Khawn intend to give no more to Lieutenant Colonel Clive than barely the sum of 280,000 rupees, as his equal share with Governor Drake, of the present of 23 lacks to the Secret Committee, and 3 lacks, as his proportion of one-eighth as commander in chief, of the donation of 25 lacks given to the army? The additional present he received at the same time, over and above those two other shares, was reckoned at 25 lacks, above 300,000 pounds sterling; and it is well known to be the general and established practice among the people of that country to make such distinctions."

In

Soon after the execution of this treaty, as we have mentioned in our foregoing chapter †, arrived the Right Honourable Lord Clive, with some of the gentlemen appointed by the Court of Directors, to form a Select Committee, invested with unlimited powers (as they chose to interpret them) for managing the affairs of the Company. And though at this time the country was in perfect tranquillity, every enemy of the Company's actually subdued, and such agreements as were thought requisite for the Company's interest settled likewise with the Prince Shah Allum and the Rājah Bulwant Sing, yet these gentlemen resolved to undo all that had been done; and, as we have before observed, to new model the affairs of the Company: and, in order to effect the intended alterations, it was determined among them to proceed, as if no treaties had been settled, or peace had not existed in Bengal, with supposing the Prince, Shah Allum, then really in possession of the Imperial crown of Hindostān, and the expelled Nabōb, Sujah al Dowlah, actually \* Vizier of the empire, and finally, to invest themselves, as Plenipotentiaries, with full and ample powers, *on behalf of the Nabōb, Najim al Dowlah*, to do what they pleased.

The Emperor Shah Allum and the expelled Nabōb Sujah al Dowlah, to whom the objects in view were of no less importance than the former's being confirmed king of the world, and the latter's being restored to his lost dominions, readily agreed to every thing that was proposed by our Plenipotentiaries; and new agreements were also made and entered into, by which our Nabōb, Najim al Dowlah, very meekly lays down his Nabōbship, which the English take up, under the title of Dewannee, and he agrees to accept of the annual sum of sicca rupees, fifty-three lacks and eighty-six thousand (or about 673,266l. sterling) for the

In a Letter to the Proprietors of East India Stock, from Lord Clive, printed for J. Nourse, 1764, p. 17, his Lordship had before apologized for his receiving of those presents, upon his making the Nabōb Jaffer Ally Khawn, in the following words:

"The Nabōb, agreeable to the known and usual custom of Eastern Princes, made presents; both to those of his own court, and to such of the English, who by their rank and abilities had been instrumental in the happy success of so hazardous an enterprise, suitable to the rank and dignity of a GREAT PRINCE. I was one amongst the many who benefited by his favour. I never sought to conceal it, but declared publicly, in my letters to the Secret Committee of the India Directors, that the Nabōb's generosity had made my fortune *easy*, and that the Company's welfare was now my only motive for staying in India. What injustice was this to the Company? *They could expect no more than what was stipulated in the treaty*. Or what injunction was I under to refuse a present from him, who had the power to make me one, as the reward of *honourable services*? I know of none."

† Lord Clive arrived at Calcutta the 3d May 1765.

\* See the *Preamble* to the TREATY with *Sujah al Dowlah*, 16th August 1765, in the APPENDIX, N<sup>o</sup> XVII. p. 27.

support

support of his government. He also agrees to give the Emperor, 26 lack<sup>s</sup>, or 325,000 l. per annum, for giving the Dewannee, or revenues of his Nabóship to the English; who, in consideration of his Majesty's granting them this Dewannee, also engage to become *securities* for the Nabób Najim al Dowlah's regularly paying that sum to the Emperor. The absurdity of these mock negotiations will best appear by a reference to the treaties themselves; for which purpose, as well as for more clearly shewing the entire subjection of these Indian Princes, we must crave the reader's patience to turn to the Appendix, N<sup>o</sup> XVII. to XXIII. pages 27 to 37.

With respect to the relation which the English East India Company at present bears to the Nabóbs of Bengal, we cannot explain it in a better manner than Lord Clive has already done to the Directors of that Company, upon the subject of this Nabób Najim al Dowlah, of whom we have been just speaking. His Lordship's words are these.

† “ Considering the excesses we have of late years manifested in our conduct, the Princes of Hindostán will not *readily imagine us capable of moderation*, nor can we expect they will ever be attached to us by any other motive than *fear*. Meer Jassier Cossim Ally, the present Nabób, and even Mahomed Ally, the Nabób of Arcot (the best Muselman I ever knew) have afforded instances sufficient of their inclinations to throw off the English superiority. No opportunity will ever be neglected that seems to favour an attempt to extirpate us, though the consequences, while we keep our army complete, must in the end be more fatal to themselves. This impatience under the subjection, as I may call it, to Europeans is natural; but so great is the insatiation of the natives of this country, that they look no farther than the present moment, and will put their all to the hazard of a single battle. Even our young Nabób, who is the issue of a prostitute, who has little abilities, and less education to supply the want of them; mean, weak, and ignorant as this man is, he would, if left to himself and a few of his artful flatterers, pursue the very paths of his predecessors. It is impossible therefore to trust him with power and be safe. If you mean to maintain your present possessions and advantages, *the command of the army and receipt of the revenues must be kept in your own hands*; every wish he may express to obtain either, be assured, is an indication of his desire to reduce you to your original state of

† Part of the 15th paragraph of a Letter, dated Calcutta, the 30th September 1765. AUTHENTIC PAPERS, p. 29.

" *dependency, to which you can never now return without CEASING TO EXIST.*"

This our young Nabób Najim al Dowlah, by the agreement \* made between him and the Company in July 1765, was to have a settled income, out of the revenues of the Bengal provinces, of considerably more than fifty-three lacks of sicca rupees *per annum*. Within two or three months afterwards, in consequence of the penetrating inspections that had been made by LORD CLIVE and MR. SYKES, it was reduced to less than forty-two lacks †: but he died *suddenly* on the 8th May 1766, within fifteen months after his exaltation to the Múfnud.

The allowance to his brother and successor Meer Kancayah, *alias* Seyf al Dowlah, a youth of about fifteen years old, was reduced to thirty-six lacks, which however he did not long enjoy, having, on the 10th of March 1770, also died *suddenly*.

His youngest brother Mobâreck al Dowlah, a youth of about thirteen years of age, was the next Nabób. His allowance upon his accession to this nominal Government was settled by the Company's Servants in Bengal, at thirty-two lacks a year; but it was lessened, in the same year 1770, to sixteen lacks by the Court of Directors; who at the same time also reduced the income of the minister Mahomed Reza Khawn, from nine to five lacks *per annum*.

Our present Nabób Mobâreck al Dowlah, though a child, has already been furnished with a seraglio, which will scarce contribute to promote a long life: but when, or how Mobâreck may die we pretend not to foresee. However, as he is the only remaining son of Meer Jaffier, and considering the late fatality among Nabóbs, it is reasonable to imagine the race of them in Bengal is very nearly at an end. It is probable our present young Nabób may prove the last of his family, and he may likewise wind up the bottom of this office, with respect to the human race. Whenever he dies, in any way, perhaps one of the state-elephants may be thought no improper successor, that being an animal of great shew, very long lived, equally ‡ *irascible*, and not so expensive to maintain as the pageant parts of the human race.

\* See APPENDIX, N° XXIII. p. 37.

† See LORD CLIVE's LETTER to the COURT of DIRECTORS. AUTHENTIC PAPERS concerning INDIA AFFAIRS, page 27. And SYKES's LETTER to the SELECT COMMITTEE at CALCUTTA. Appendix, N° XXXIX. p. 139, &c.

‡ See SYKES's LETTER to the SELECT COMMITTEE. Appendix, page 138.



## C H A P. VI.

## REMARKS ON THE FOREGOING CHAPTERS.

**M**ANY intelligent gentlemen in England, who are unacquainted with the affairs of India, when they hear the Grand Mogul or the Nabób of Bengal mentioned, imagine them to be independent Princes, possessed of territories in their own right, and either ruling their subjects by their own will, or by the established laws of India. The foregoing chapters, we hope, will set those matters in a true light, and convince the impartial reader, that nothing can be more distant from truth at present than the idea of such independency. The Nabóbs of Bengal are no other than the tools of the English East India Company and their Representatives in Asia, through whom not only the natives, but even Englishmen, in those remote parts, are exposed to every species of oppression; for so grievous is the present situation of British subjects in those countries, that it is in fact now easily in the power of the Governor of Bengal, whenever he pleases, to deprive any one of so much of his property as lies within *the Nabób's* dominions, or even of his life, should he trust himself there, without its being possible for justice to be procured against such offenders by any laws now in being there, or even here, according to the present state of things and constitution of the Company. Every subsequent chapter will serve more to convince the reader of the truth of these assertions.

The only land which the English East India Company ever legally held by a regular grant from a real Mogul, was what the Emperor Furrukhseer granted them in the year 1717, which was not quite sixteen acres, wherever they established their factories, as will be shewn in the following chapter. And from all the concurrent testimonies produced in our fourth and fifth chapters concerning the Dewannee and the Nabób, to which testimonies even the Right Honourable Lord Clive himself has contributed, it appears clearly, that, *according to the institutions of the empire*, the Nabób, Názim, or Subahdár of Bengal, or indeed of any other part of Hindostán, had no power over the revenues, he being liable to be called upon for the whole amount of them, after being paid the necessary expences of the Nizám.

The Nabób therefore could have no right to dispose of the revenues, much less to bestow the rank of nobility by creating Omahs of the  
 2 empire;

empire; to alienate lands, or grant away to another person, by a formal and public act, any part of a jagueer which he might himself have held only conditionally, in appearance, from the Emperor, as a Jagueerdár; which being all imperial acts, could only be done by an Emperor established on the throne of Dehly, and such an one there has not been for many years past; consequently all the tenures of such territories and revenues as have been taken by the English Company, beyond what were granted them in 1717 by Furrukhseer, are not legally valid, according to the constitution of the Mogul empire, but possessions acquired and held either by violence or usurpation.

To suppose the existence of the old established laws and actual form of government of the Mogul empire, and to argue therefrom, is highly absurd in speaking of the present state of affairs, when no such laws or empire exist. In all the publications therefore which have lately been made of those matters, we meet with numberless absurdities and contradictions; the parties themselves having made the constitution of the Mogul empire appear just what they pleased, by representing things in such lights as best served to promote their own temporary interests.

Thus in the memorial from the Court of Directors of the English Company to the King's Most Excellent Majesty, on the subject of complaints from the Dutch East India Company, dated the 3d February 1762, the Directors by very ingenious arguments endeavour to convince their Sovereign, that the Nabôb of Bengal was *de facto* whatever he might be *de jure*, a \* sovereign prince, and the Mogul nobody; because at that time it was requisite for their purpose that Jaffier Ally Khawn, our Company's first Nabôb, should appear independent. The Right Honourable Lord Clive at that time supported the same doctrine, because, in gratitude for his having secured to that officer the Nabôbship of Bengal, the Nabôb had made his Lordship an *Omrah*, and by appointing him a jagueer, made him a *Jagueerdâr*, or Lord of the Company's lands, "*who were thereby freed from all dependence, except on his Lordship* †." But when it becomes necessary to assume the Dewannce, as we have just seen, then our Nabôb is nobody; and Shah Allum issues his Royal Firmauns with all *Imperial authority*.

The fact is, that none of these revolutions or pretended grants can be supported upon principles of justice. In all the transactions we have taken notice of, there was no right but that of the longest sword, nor any law, except the will of the conquerors; who could, upon all such

\* See A DEFENCE, &c. printed for J. Brotherton, in Cornhill, 1762, page 22.

† See LORD CLIVE'S LETTER to the PROPRIETORS, printed for J. Nourse, 1764, pages 34 to 36.

occasions, have taken for themselves, or given to the Company what they pleased, having no check but *their own consciences*, or seldom any rule but that of *convenience*.

The *Black Nabôbs* had the same reason for appearing to hold their Nabôbships by virtue of Imperial *Sunnuds*, as the English Company had for pretending to hold their first lands by grants from the Nabôb, and their *subsequent Dewannee* from the *Mogul*, though they should be necessitated for each purpose respectively to create their own Nabôbs or Emperors; viz. the having something ostensible to screen their usurpation, in case their pretended right should be disputed by any other power; but as the sword alone would decide the point in India, this cloak seems to have been chiefly calculated for service in our northern climates.

Perhaps Lord Clive had this idea principally in view, as a farther security for his jagueer, when on his last trip to Bengal he changed the state of the Company's affairs so speedily, by altering all the treaties then subsisting, exalting the Prince Ally Gohâr, and introducing the Company as deriving every thing immediately from this our new-created EMPEROR, by the manœuvre of the Dewannee. In the then state of the Company's affairs, it was possible that the litigation respecting his jagueer might be revived, or that even government might interfere therein; and his Lordship well knew that he could scarce have continued in the enjoyment of it, if the Company had been averse to his so doing; much less could he ever have obtained satisfaction from *the laws or courts of Hindostân*, to which, in the opinions of the ablest lawyers here, the point must at last have been referred for decision. Every step, therefore, tending farther to establish the authority of this unfortunate Prince, as Emperor, and to make the Company appear to hold all they possessed under that authority which was also made to confirm his Lordship's Jagueer, was adding weight to his own claim; and the additional allowance of twenty-six lacks per annum, which his Lordship provided for this our Emperor, was binding him by interest to his Lordship's side.

It is scarce possible otherwise to account for this extraordinary and bold step of his Lordship, in assuming the Dewannee; which, as we have shewn in our 4th chapter, had been so positively rejected by the Company in March 1763; for it was a step that was highly incompatible with the Company's engagements then subsisting with the Nabôb, and injurious to that family from whom both the Company and his Lordship had derived the greatest benefits, nay, and which could not fail of laying open and exposing the affairs of the Company to those  
national

national inquiries which followed ; while in fact they had not in Bengal the appearance of receiving immediately any real advantage from the change. That the reader may perceive more clearly the truth of this last assertion, we will lay before him a short view of the advantages gained by the Company upon the treaties subsisting when Lord Clive and his Committee arrived in Calcutta, compared with those made by them upon their assuming of the Dewannee.

In order to form a right judgment of this comparison, the reader must be first informed of the true value of the zemindâry of the late Râjah Bulwant Sing. At the capital city of Banâras, the judicious Governor Vansittart and his Council had, towards the end of the year 1764, established a factory consisting of a Chief and Council, for the collection of the revenues of that zemindâry, which was likewise more advantageously situated for extending and increasing the sales of broad-cloth and other staple articles imported by the Company, than any other factory they possessed. His Lordship and the Secret Committee (who appeared on this as well as on many other occasions, to have brought from England all knowledge of the state India was in on their arrival) upon relinquishing this zemindâry, resolved also to withdraw the factory ; and without duly consulting the servants of the Company employed in that department, were pleased to fix the revenues of the country for the last year they resolved the Company should hold it, ending the 27th November 1765, at twenty lacks of rupees. But it is well known that the Râjah, who died about two years ago, collected near four times that sum. His brother, the late Sirnaam Sing, was actually on the point of making proposals to the Company for giving them forty-five lacks per annum for that zemindâry, about the time in which this country was given up by his Lordship. In a very short time the Company therefore might with the greatest propriety, after making every equitable allowance to the Zemindâr, have collected fifty lacks, and upon his demise, by keeping the lands in their own hands, upon the footing of the Calcutta Pergunnahs, there is not the least doubt to be entertained of their having soon yielded eighty lacks, or one million sterling per annum.

Upon the treaties subsisting in GOVERNOR SPENCER'S time, February 1765 (See the Appendix, N<sup>o</sup> XIV. and XV. pages 21, 22, &c.)

	Sicca Rupees.	Pounds Sterling.
The accession of five lacks of Sicca rupees per month in consideration of the Company's military expences, is, <i>per annum</i>	6,000,000	
The revenues of Burdwân, Midnipore, and Chittigong, (exclusive of Calcutta and the 24 Pergunnahs) agreeably to an estimate of Lord Clive's - - -	5,000,000	
The revenues of Ghazipore, Banâras, &c. districts of the zemindâry of Bulwant Sing, which for the reasons before given may with great moderation be estimated at - - - - -	4,500,000	
	<hr/> 15,500,000	

Or, at 2s. 6d. each - - - - - 1,943,750

Upon LORD CLIVE'S Treaties in August 1765, (see the Appendix, N<sup>os</sup> XVII. XVIII. XXII. and XXIII. pages 27, 29, 36 and 37.)

	Sicca Rupees.
His Lordship himself * estimated, that the whole revenues of the Company's provinces in Bengal, Bahâr and Orissâ, (exclusive of Calcutta and the 24 Pergunnahs) would amount to - - -	25,000,000

From which must be deducted,

The annual stipend provided by his Lordship for <i>the Emperor</i>	
Shah Allum - - -	2,600,000
The annual allowance to the Nabôb of Bengal, which, though afterwards reduced, was first fixed at -	5,386,131
	<hr/> 7,986,131
	<hr/> 17,013,869

Or, at 2s. 6d. each - - - - - 2,126,733

£. 182,983

The difference in favour of Lord Clive's treaties, according to this estimate, which comprehends every article of a permanent nature, is only one hundred and eighty-two thousand, nine hundred and eighty-three pounds sterling per annum, even admitting that, agreeably to his Lordship's estimate, 250 lacs had been actually collected; which we believe, from a variety of causes, has not been the case in any one year from his Lordship's establishment to this day. It is true, that the Nabob, Sujah al Dowlah, upon his being restored to his country, paid the Company fifty lacs of rupees, agreeably to the 6th article of the treaty, as an indemnification for their charges in the war. But this being only a temporary advantage, against which must be also placed the extraordinary charge of that campaign, it cannot with propriety be included in our estimate among the articles of a permanent annual revenue.

If then we place against the before-mentioned 182,983 l. the 400,000 l. now paid annually to government, and the additional improvements which might have been most reasonably expected from Bulwant Sing's Zemindry, it must be allowed that his Lordship's alterations, upon assuming the Dewannee, have been no way for the interest of the Company, even without bringing to account the amazing increase in the charges of the civil and military establishments, which has been another ill consequence, to the almost entire absorption of the revenues.

Even the Court of East India Directors seem to have been soon sensible of this greatly increasing charge, by their letter to the Select Committee at Bengal, dated the 16th March 1768; wherein, after estimating what the various articles of increase in their military and other charges would amount to, exclusive of what might be paid to the Marahattas, if their treaty with that nation should come to a conclusion, they thus proceed, in the 140th paragraph. "When these calculations are made, you will find we already approach the *utmost limits of what expence can be afforded from the revenues*: and should there be occasion for any military operations, it will be found we have not altered our situation much to our advantage; but have only exchanged a certain profit in commerce for a PRECARIOUS one in REVENUE."

## CHAP. VII.

ON the MOGUL's FIRMAUNS, the PASSPORTS called DUSTUCKS, and the early POSSESSIONS of the ENGLISH in BENGAL.

THE Portuguese, who after the first discoveries of Vasco de Gama, in 1497, possessed the greatest power and trade in India for near a century uninterrupted by any European rival, had settlements established at Surát and Guzerát, or Amadavát, on the coasts of Coromandel and Malabar, and in Bengal, long before any English trading vessels visited India. They were so early, as about the year 1534, in league with the King of Bengal, then independent of the court of Dehly, whom they assisted with a large force from Goa against the Patán, Shere Khawn. Their principal settlements in Bengal at first were Porto Grande, which we now call Chittigong, and near Hoogly, Porto Pequeno, where, or thereabouts, they still preserve their present settlement of Bandell: which settlement at Hoogly was afterwards confirmed to them by the Emperor Shah Seieem, or Jehan Gueer, the grandfather of the famous Aurengzebe, on condition of their protecting the Bay and Coast of Bengal against the incursions of the Mugg pirates, which were at that time very frequent.

Queen Elizabeth was the first of British Sovereigns who interested themselves in the voyages of the English round the Cape, to the East; having, for the purpose of establishing a trade in India and China, sent her royal letters, by the adventurers of those times, to several of the Emperors and Princes of those countries; particularly in the year 1583, by two merchants, named John Newbery and Ralph Fitch; and in the year 1596, by two others, named Richard Allot and Thomas Bromfield.

Her Majesty's letter dated in February 1583, sent by Mr. John Newbery to the Great Mogul, or Emperor Akbur, was as follows.

“ Elizabeth, by the Grace of God, &c. To the most Invincible and most Mightie Prince, Lord Zelabdim Echebar, King of Cambaya, Invincible Emperor, &c.

“ The great affection which our subjects have to visit the most distant places of the world, not without good will and intention to introduce the trade of merchandize of all nations whatsoever they can, by which means the mutual and friendly trafique of merchandize

“ on both sides may come, is the cause that the bearer of this letter,  
 “ John Newbery, jointly with those that be in his company, with a  
 “ courteous and honest boldnesse, do repaire to the borders and court-  
 “ treys of your empire, wee doubt not but that your Imperial Majestie,  
 “ through your royal grace, will favourably and friendly accept him.  
 “ And that ye would do it the rather for our sake, to make us greatly  
 “ beholding to your Majestie; wee should more earnestly, and with  
 “ more words require it, if wee did think it needful. But by the  
 “ singular report that is of your Imperial Majestie’s humanitie in these  
 “ uttermost parts of the world, wee are greatly eased of that burden,  
 “ and therefore wee use the fewer and lesse words: onely we request  
 “ that because they are our subjects, they may be honestly intreated  
 “ and received. And that in respect of the hard journey which they  
 “ have undertaken to places so far distant, it would please your Ma-  
 “ jestie, with some libertie and security of vottage to gratifie it, with  
 “ such privileges as to you shall seem good: which curtisie, if your  
 “ Imperial Majestie shal to our subjects at our requests performe, wee,  
 “ according to our royal honour, will recompence the same with as  
 “ many deserts as we can. And herewith wee bid your Imperial Ma-  
 “ jestie to farewell \*.”

Mr. Ralph Fitch, who writes the narrative recorded in Hackluyt, mentions their having staid at the court of the Emperor Akbur, which was then held at Fettehpore, until the 28th September 1585; but takes no notice of any privileges then obtained.

The first Englishman, as may be gathered from Purchas’s collection, who obtained privileges from the Grand Mogul in favour of this nation, was a John Mildenhall †. He set out from London in the year 1599, upon a voyage up the Streights; after which he proceeded over land from Aleppo, through Persia, to the Mogul’s court at Agra, (but was a considerable time on his journey, the reasons for which delay he gives no account of,) where he arrived in 1603. He was, as well as his letters, very graciously received by the Emperor, to whom he presented a Nuzzer of twenty-nine fine horses, and some jewellery. but met with great opposition from the intrigues of the Jesuits, particularly the Italians, of whose enmity he complains much; and could do nothing for want of the language of the country. He therefore applied hard, and made himself sufficiently master of the Persian tongue, whereby he

\* See RICHARD HACKLUYT’S COLLECTION, the 2d volume, page 245. Printed, London, 1599.

† See PURCHAS’S PILGRIMS, 1st Part of his 2d Book, page 114, anno 1625.



found means to ingratiate himself with the Mogul, and at last obtained firmans much to his satisfaction, and which were said to tend greatly to the profit and honour of this nation; but we are not furnished with the copies of those firmans.

During Mr. Mildenhall's peregrination, that is, on the 30th December in the year 1600, Queen Elizabeth had granted her first letters patent to certain adventurers, for fifteen years, for the discovery of the trade to the East, by the name of The Governor and Company of Merchants of London trading into the East Indies; which most probably prevented Mr. Mildenhall's firmans from appearing.

Mr. Thomas Best \*, who went out to India with the direction of two ships in 1611, carried letters likewise from King James, and presents to the Great Mogul, Shah Seleem (afterwards called Noor al Deen Jehangueer) then at Agra. On the 21st October 1612, he settled articles of trade with the Mogul Governor of Amadavat and Surât, of which he afterwards received a confirmation from the Mogul, in a firman, dated at Agra the 25th January 1613; whereby, among other things, it was stipulated, "That there should be a perpetual peace and free commerce between the Mogul's subjects and the English in all parts of his dominions; that all English goods should pay custom after the rate of three and a half per cent. upon the value or price they were worth when put into the custom-house, and that it should be lawful for the King of England to keep and continue an ambassador at the court of the Great Mogul, during the time of the said peace and commerce; there to compound and end all such great and weighty questions as might any way tend to a breach of the said peace."

In the year 1614, Sir Thomas Roe †, Knight, was appointed, and sent by his Majesty, King James the First, as ambassador, with presents and a letter to the Grand Mogul, Shah Seleem, or Jehangueer, of which letter the following is a copy.

"James, by the Grace of Almighty God, the Creator of heaven and earth, King of Great Britain, &c. &c.

"To the High and Mighty Monarch, the Great Mogul, King of the oriental Indies, of Candahâr, Cashmeer, Khorassan, &c. Greeting.

"We having notice of your great favor towards us and our subjects, by your great firman to all your captains of rivers, and officers of your customs, for the entertainment of our loving subjects, the English nation, with all kind respect, at what time soever they shall

\* See PURCHAS'S PILGRIMS, Book II. page 456, &c.

† *IBID.* page 535, &c.

“ arrive at any of the ports within your dominions, and that they may  
 “ have quiet trade and commerce, without any kind of Hindrance or  
 “ molestation, &c. as by the articles concluded by Sheikh Bussée, Go-  
 “ vernor of the Guzerats, in your name, with our loving subject Cap-  
 “ tain Thomas Best, appeareth: having thought it meet to send unto  
 “ you our ambassador which may more fully, and at large, handle and  
 “ treat of such matters as are fit to be considered of, concerning that  
 “ good and friendly correspondence which is so lately begun between  
 “ us; and which will without doubt redound to the honour and uti-  
 “ lity of both nations. In which consideration, and for the furthering  
 “ of such laudable commerce, we have made choice of Sir Thomas  
 “ Roe, Knight, one of the principal gentlemen of our court, to whom  
 “ we have given commission under our great seal of England, together  
 “ with directions and instructions, further to treat of such matters as  
 “ may be for the continuance and increase of the utility and profit  
 “ of each other's subjects: to whom we pray you to give favor and  
 “ credit in whatsoever he shall move and propound towards the esta-  
 “ blishing and enlarging of the same. And for confirmation of our  
 “ good inclination and well-wishing towards you, we pray you to ac-  
 “ cept in good part the present which our said ambassador will deliver  
 “ unto you: and so do commit you to the merciful protection of Al-  
 “ mighty God.”

Sir Thomas Roe had his first audience at court, then kept at Azmeer,  
 on the 10th January 1616. He was very graciously received, and the  
 answer which the Emperor Jehangueer wrote to King James's letter, as  
 delivered to Sir Thomas, was as follows.

After the usual preamble and compliments. “ Your letter, which  
 “ you sent me in the behalf of your merchants, I have received, where-  
 “ by I rest satisfied in your tender love towards me; and desire you  
 “ not to take it ill, for not having writ unto you heretofore; for this my  
 “ present letter I send to renew our loves, and herewith do certify you  
 “ that I have sent forth my firmauns through all my countries to this  
 “ effect, that if any English ships or merchants shall arrive in any of  
 “ my ports, my people shall permit and suffer them to do what they  
 “ will freely in their merchandizing causes, aiding and assisting them  
 “ in all occasions of injuries that shall be offered them, and that the  
 “ least cause of discourtesy be not done unto them, as also that they be  
 “ as free and free than my own people. And as now and formerly I  
 “ have received from you divers tokens of your love, so I desire your  
 “ [ H ] mindful-

“mindfulness of me by some noveltys from your country, as an argument of friendship between us: for such is the custom of Princes here.  
 “As for your merchants, I have given expresse order *through all my country* to suffer them to sell, buy, transport, and carry away at their pleasures, without the let or hindrance of any person whatsoever, all such goods and merchandize, or other things, as they shall desire to buy: and let this my letter as fully satisfy you in the desired peace and love, as if my own son had been the messenger to ratify the same. And if any in my country, not fearing God, nor obeying their King, or any other, void of religion, should endeavour, or be an instrument to break this league of friendship, I would send my son, Sultan Khourm, a soldier approved in the wars, to cut him off, that no obstacle may hinder the continuance and encreasing of our affections.”

Such was the nature of the firmauns and the encouragement at first granted to the English, at the special request of the Sovereigns of England, in favour of the whole nation. By permission of the Mogul government, the English Company settled their first factory in Bengal, at Hoogly, where the Dutch had settled about the year 1625; and the English factors at Bengal were dependent upon the Company's settlement at Chinipatám, or Madrás. Hoogly, which is now in ruins, was at this time a port of considerable trade; to which all foreigners in general resorted, as to the grand emporium for the purchase and sale of all commodities in Bengal; but no Europeans were then permitted to raise fortifications in Bengal, being justly kept totally dependent upon that government, where they had procured themselves admittance for the avowed purpose of trade only.

As the trade increased from the indulgences granted to foreign settlers, they were naturally objects of jealousy to the natives; so that causes of disputes frequently arose in many parts of the empire wherein the Europeans had established their factories. The Englishman frequently met with rebuffs that he could not reconcile to his notions of liberty, and the Mogul governors were as frequently disappointed in their expectations of Asiatic servile obedience from Englishmen; so that irregularity and disorder were as often committed on one side, as violence and oppression on the other.

Such contests were by no means favourable to the Company's trade; and they were unhappily carried to such lengths, particularly at the Company's settlements on the Malabar coast, that, about the year 1685, the Company thought they had no alternative, but either to withdraw their trade, or resist by force the violences of the Nabôbs; which were  
 after-

afterwards not a little aggravated and exaggerated by their governor of Bombay. Having before them, from the transactions of the Portuguese, recent proofs of the very great advantages over the natives of India, which were to be had from an European naval armament, and the regular discipline of European infantry, the Company determined upon trying what they could effect by force; and, having obtained permission from King James the II<sup>d</sup>. they fitted out and sent one fleet to cruize off Surat, and to take, plunder and destroy all Indian ships and vessels; and another fleet with troops to Bengal, to act vigorously in that quarter.

The fleet on the Malabar coast made immense booty at sea, from indiscriminately plundering all Indian merchant-ships, whilst the troops in Bengal, under the command of Mr. Job Chanock, the Company's chief factor at Hoogly, experienced many changes of fortune. Sir John Child, the Company's governor at Bombay, by his \* imprudent conduct prolonged the war until June, 1690, which was fatal to the then Company, having cost them above four hundred thousand pounds sterling, before they could get rid of it, besides the forfeiture of their privileges, and the loss of their credit with the Indians and the Mogul; whose governor of Surat, Sedee Yacooob, took Bombay, and imprisoned the Company's factors, obliging them to pass through the streets with irons about their † necks.

“ The bad success of this war obliged the English to sue for peace  
 “ and pardon from the then Emperor Aurengzebe; for which purpose  
 “ they dispatched from Surat two of their factors to Dehly, under the  
 “ names of English Ambassadors: one, Mr. George Weldon, who was  
 “ first in commission, and Mr. Abraham Navaar, a Jew, who was se-  
 “ cond. They were brought to Aurengzebe's presence, after a new  
 “ mode for ambassadors, their hands being tied by a sash before them,  
 “ and were obliged to prostrate themselves. The King gave them a  
 “ severe reprimand, and then asked their demands. They first made  
 “ a confession of their faults, and desired pardon; then, that their Fir-

\* Hamilton, Vol. I<sup>st</sup>, pages 185 to 229, in his account of the East Indies, where he commanded a vessel in the coasting trade for many years, gives a shocking account of the conduct of Mr. John Child, who was related to Sir Josiah Child, then at the head of the Company's affairs in England. This Mr. Child, appointed governor of Bombay about the year 1682, was soon afterwards made general in India, and created a Baronet: for money (says our author) which the Company knew how to apply to the necessities of King Charles. He is represented to have been guilty of every species of tyranny, oppression, injustice and plunder, alike towards the natives of the country and his own fellow subjects; and to have involved the Company in this war, which at last ended as disgracefully to himself as to the Company and the Kingdom.

† ACCOUNT of the EAST INDIES by Alexander Hamilton, 1727. See also HARRIS, Vol. I<sup>st</sup>, pages 901, &c.

“mann, which was forfeited, should be renewed, and that the Sedee  
 “and his army should be ordered off the island of Bombay.

“Aurengzebe, who was a mild and wise prince, accepted of their  
 “submission, and pardoned their faults, on condition that Governor  
 “Child should leave India in nine months, and never come back  
 “again: and the Firmaun was renewed, on condition that satisfaction  
 “should be given to his subjects on account of debts contracted, robbery committed, and losses and damages made good.”

Matters being thus settled from the great lenity of the Mogul, the Company's agent in Bengal, Mr. Job Charnock, obtained leave for the English to return to their factories. He did not choose to return to Hoogly, and therefore first settled at Ulbarree, a village situated on a creek upon the western side of the river, near forty miles below Hoogly; but, finding this place inconvenient, he afterwards obtained leave from the Nabôb to settle his factory at Sootanooty, a village now comprehended in the districts of the present town of Calcutta.

Six years afterwards, that is, about the year 1696, several of the hereditary landholders, headed by the Râjah of Burdwan, declared themselves independent of the Mogul's governor, or Nabôb of Bengal; and, having raised a considerable force, they proceeded to the taking and plundering of Hoogly, the capital Murshedabad, and Ragemahl, before a stop could be put to their rebellion. The English, French, and Dutch, with great professions of attachment, declared in favour of the Nabôb; and availed themselves of this confusion to fortify their settlements, under the pretence of self-defence. Thus arose the walls of the Dutch fort at Chinsurah, the French fort at Chandernagore, and Fort William at the English settlement of Calcutta.

The Nabôb who had been sent by the Mogul Aurengzebe, to quell this rebellion, was Azim al Shawn, a man of a most avaricious disposition; which enabled the English, by bribery, to obtain his consent for their purchasing of the Zemindârs, or hereditary landholders, the Zemindâry rights of the districts round them, to the extent of about one mile and a half square; by which they annexed the villages of Calcutta and Govindpore to their jurisdiction, the accustomed royalties being reserved to the Nabôb.

The advantages which the natives found under this new established government, from the favour shewn to the English, and the great increase of trade after the union of their two Companies, brought a great concourse of people to the English settlements; the importance of which increased so fast, that, in the year 1707, the Directors in England appointed Calcutta to be a Presidency, independent of Madras.

We

We do not hear of any thing farther passing with the Court of Dehly respecting the Firmauns of the English, till the reign of the Emperor Furrukhseer. The trade of the English Company in Bengal had, from the period of their submission to Aurengzebe, continued to grow daily more important; but it was not carried on without frequent interruptions from the officers of the Mogul government, which it was hardly possible to avoid with a colony so situated. Being sensible likewise of the precarious tenures of their establishments in Bengal and elsewhere, in the year 1715, the Company sent a deputation of two gentlemen to the Court of Dehly; one an Englishman, named John Surman, and the other a very considerable Armenian merchant, named Cogee Serhaud, to solicit redress for past, and security against future oppressions; for an extension of their old, and for many new privileges; and particularly for a small spot of ground to be allowed them wherever they settled a factory.

It was upon this deputation that the English East India Company obtained their Grand Firmaun, exempting them from paying any duties upon their trade within the Mogul's dominions, on paying a Peshcush, or acknowledgment of ten thousand rupees per annum. As this is the Firmaun by which they were governed, till they themselves became the makers of Nabobs and Moguls, and will shew what parts of the petitions of our ambassadors were granted, we give it intire to our readers, in the translation which Mr. James Fraser, a gentleman well acquainted with the Persian language, has made of it, and inserted in his History of Nader Shah, viz.

' All governors, people in offices, &c. who are at present, and shall  
' be hereafter in the province of Ahmedabad, and in the fortunate  
' ports of Surat and Cambay, being in hopes of the royal favour;  
' Know, that at this time Mr. John Surman and Cogee Serhaud, fac-  
' tors to the English, have represented, " That customs on English  
' goods all over the empire are pardoned, except at the port of Surat;  
' and that at the said port from the time of the late Emperor Shahab  
' al Deen Shah Jehán, two per cent. was settled as customs; from the  
' time of the late Emperor Mohy al Deen Mahomed Aurengzebe Al-  
' lumgueer, three and a half per cent. was appointed; and in other  
' places none molested them on this account: and in the time of the  
' Emperor Abul Mazuffer Bahadr Shah, two and a half per cent. was  
' settled, and is in force until now. By reason of the oppressions of  
' the government officers there, it is three years since they have with-  
' drawn their factory. In the provinces of Bahár and Orissa this na-  
' tion pays no customs; and in the port of Hoogly, in the province  
" of

“ of Bengal, they yearly give 3,000 rupees acknowledgment in lieu  
 “ of customs; they are in hopes, that, according to the custom of  
 “ other ports, in the port of Surat likewise a yearly acknowledgment  
 “ may be settled in lieu of customs: they agree therefore to a yearly  
 “ Peshcúsh, or acknowledgment of ten thousand rupees.”

‘ The order that subjects the world to obey it, and which must be  
 ‘ strictly followed, is issued forth: that since they agree to ten thousand  
 ‘ rupees Peshcúsh at the port of Surat, take it yearly; and, besides  
 ‘ that, molest them on no account. And what goods or effects their  
 ‘ factors bring or carry away, by land or water, to and from the ports  
 ‘ of the provinces and other parts, looking upon them to be custom-  
 ‘ free, let them buy and sell at their pleasure. And, if in any place,  
 ‘ any of their effects should be stolen, use your utmost endeavours to  
 ‘ recover them, delivering the robbers to punishment, and the goods  
 ‘ to the owner; and wherever they settle a factory, or buy and sell  
 ‘ goods, be assisting to them on all just occasions; and whomsoever of  
 ‘ the merchants, &c. they may have a just demand on by accounts,  
 ‘ according to equity, give the English their due, and let no person  
 ‘ injure their factors. They have likewise humbly represented, “ That  
 “ the Dewâns in the provinces may demand the original Sûnnud, or  
 “ a copy, with the Názim or Dewân’s seal affixed, that to produce the  
 “ original in every place is impracticable; they are therefore in hopes,  
 “ that a copy under the Kâzy’s seal shall be credited, and they not de-  
 “ mand the original Sûnnud, or molest them on account of a copy,  
 “ with the Názim or Dewân’s seal. And in the island of Bombay, be-  
 “ longing to the English, where Portugucze coins are current, that,  
 “ according to the custom of Madrás, coins may be struck: and that  
 “ whoever of the Company’s servants, being in debt, runs away, may  
 “ be sent to the chief of the factory; and that on account of the  
 “ \* Fowzdáry, and other forbidden articles (by which means the Com-  
 “ pany’s factors and servants are vexed and discouraged) they be not  
 “ molested.”

‘ The strict and high order is issued forth, that a copy, under the  
 ‘ Kâzy’s seal, be credited; and that in the island of Bombay fortunate  
 ‘ coins, struck according to the custom of the empire, be current; and  
 ‘ whosoever of the Company’s servants, being indebted, runs away,  
 ‘ let him be taken and delivered to the chief of the factory, and let

\* The Fowzdár in all great cities is the magistrate for licensing of disorderly houses, and the sales of spirituous liquors, and takes cognizance of riots, &c. on which account, by the irregularities of the English sailors, the Company’s servants were frequently exposed to difficulties. This relieved them from the Fowzdár’s jurisdiction.

' them not be molested on account of the forbidden articles. They have  
 ' likewise represented, " That in Bengal, Bahár and Orissa the Com-  
 " pany have factories, and that they are willing to settle in other places.  
 " They are in hopes, that wherever they settle *forty*\* *Begas of ground*  
 " may be graciously bestowed on them by the Emperor ; and that their  
 " ships sometimes, by reason of tempests, run ashore and are wrecked, and  
 " that the governors of the ports do, in an oppressive manner, seize the  
 " goods, and in some places demand a quarter part," ' the royal order  
 ' is issued forth, that they act according to the customs of the factories  
 ' in other provinces in regard to this nation, who have factories in the  
 ' Imperial ports and dealings at court, and have miraculously obtained  
 ' a Firmaun, exempting them from customs. Take care, in a just  
 ' manner, of the goods of their ships that are wrecked or have lost their  
 ' passage ; and in all affairs act according to this great order, and  
 ' demand not a new grant yearly. In this be punctual. Written on  
 ' the 4th of Saffer, in the 5th year of this glorious reign.' (The 6th  
 January 1716-7.)

Mr. Vansittart, in his narrative of transactions in Bengal, has given  
 † another translation of this Firmaun, which differs in many parti-  
 culars, and even in date, from this of Mr. Fraser. Both these autho-  
 rities are so good that we do not know which to give the preference to :  
 however, as they do not differ in any of the principal points, it is need-  
 less to swell this chapter with the other translation ; which the curious  
 reader may consult in Mr. Vansittart's work.

In order to certify to the officers of the country governments, sta-  
 tioned at the several watch-houses and custom-houses in the country,  
 what was the merchandize that was to pass by virtue of the Firmaun  
 duty-free, it was always customary for the governor of Calcutta, and  
 sometimes the chiefs at subordinate factories, to sign a short note in  
 English, with a more full one on the same paper in Persian, directed  
 to all officers of the government, in general terms, with an account of  
 the goods, the place from whence they were going, and the market  
 they were destined to ; to which was affixed the Company's broad seal,  
 and this was called a *Dustuck*. While the Mogul government con-  
 tinued in full vigour this *Dustuck* ought to have conducted the English  
 goods, duty-free, to the utmost confines of his dominions ; but it soon be-  
 came of no service out of the Bengal provinces ; that is, in other words,  
 it was minded only where the English power could enforce it. By con-

\* About 15 acres : a Bega being about 16,003 square feet.

† Vol. I. page 9.



stant usage, and the connivance of the Indian government, these Duff-tucks were always looked upon as, of right, belonging to the covenanted servants of the Company also, for the carrying on of their own private trade.

Such were the privileges which the English obtained by virtue of the Firmaun of the Emperor Furruckiêr, which were intended to guard them in the transporting of their goods to and from their principal settlements, against the impositions of subordinate governors of provinces. At the time those privileges were granted, and for some years afterwards, the Indian government could scarce feel the loss or inconvenience arising from this general exemption of the trade of the English from the payment of those duties which the natives were subject to; as, while no other undue influence could be used, it only occasioned a loss in the duties upon the English trade, which was then inconsiderable, and had not been extended but to a few articles. The goods also which the English were then used to buy in the inland country passed through a variety of hands before they received them, so that an industrious and intelligent native, who went about his own business at first hand, could, even after paying duties, bring his goods down to market at the English settlement as cheap as those the Englishman received with the duff-tuck; as even the Armenians, many of them at least, frequently did. But in succeeding times, with the altered situation of the country, and of the Company's affairs, the abuse of this privilege became the occasion of the greatest hardships upon the natives; and the same has been of late years a principal cause of the present distressed situation of the affairs of Bengal, as will be shewn in a following chapter.

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## C H A P. VIII.

ON THE EARLY TRADE OF EUROPEANS IN INDIA, AND THE INTERIOR PARTS OF HINDOSTAN; AND ON THE PRESENT DIFFERENCE BETWEEN THE TRADE OF THE ENGLISH COMPANY AND THAT OF BRITISH INDIVIDUALS AND OTHER NATIONS IN BENGAL.

**T**HE European people that first figured highly in India, as we have before observed, were the Portuguese; who were indebted for all their ancient prosperity to the enterprising genius and resolute perseverance of one of their princes, of whose exalted merits they appear to have

have been blameably insensible; his fame among them having never been, in any just degree, proportionate to his extraordinary worth; while they have been extravagant in their encomiums on others, whose public merits were comparatively insignificant.

This prince was Dom, or Don *Henrique*, so named in honour of his uncle, Henry IV. of England, fourth son of John the First, King of Portugal, by his queen, Philippa, daughter of John of Ghent or Gaunt, Duke of Lancaster, fourth son of Edward the Third, King of England. Don *Henrique* was Duke of Viseu, and, with his father and two of his brothers, a Knight Companion of the Most Noble Order of the Garter.

He was by his genius directed to deep and useful studies, and practically applied himself to the making of naval discoveries. To him his country owes the acquisition, and Europe its first knowledge of the Madeira and Azores Islands; and the successive discoveries he directed, had, before his death, extended far on the coast of Guinea.

His example and success induced the court and kingdom of Portugal to pursue those honourable and useful undertakings, which were gradually extended to the Cape of Good Hope, first known by the name of the \*Cape of Storms; and at length this Cape, after many fruitless attempts made by other Commanders, was successfully doubled towards the end of the year 1497, by Vasco de Gama, who pursued his voyage afterwards to † Calicut on the coast of Malabar; where, in progression, many other establishments were afterwards made.

The more early fruits of these prosperous adventures were, the acquisition of the ports of Angola, which soon made the Portuguese masters of that kingdom; and likewise the island of Mosambique, to the eastward of the Cape; from which island, for a long time, they carried on a very profitable trade with the inhabitants of the ‡ opposite coast of Africa, for gold-dust, elephants teeth, cowries, &c.

\* *Cabo dos Tormentos*. It was first discovered in the year 1487, by *Bartholomew Dias*.

† The first American land was discovered by *Columbus* in 1492, so that the East and West Indies were discovered very nearly together.

‡ On the eastern coast of Africa, extending from the Cape of Good Hope northward to the Red-Sea, are several good harbours, particularly those of *Sofala* and *Melinda*. It is well known, that the country of *Monomotapa*, on the shore of which *Sofala* is situated, has in it very rich gold mines, and abundance of elephants; but by being situated to the eastward of the Cape of Good Hope, the coast is within the injudiciously-extensive limits of those regions to which our India Company have an exclusive right of trading; who make little other use of it than for taking in water and cattle on their voyages. With regard to this country, therefore, which might be made a fruitful source of commerce, the India Company's exclusive right of trade has made them, like the dog in the manger, prevent others from obtaining an advantage, of which they will not avail themselves; which surely is an object deserving of national consideration.

The navigation to India being thus opened by the Portuguese, it would probably soon have introduced many rivals to them in those seas, had not the discovery of America so speedily followed it; the nearer situation of which country, and the sudden enriching of Spain, by the great importations which she made of silver from thence, induced other nations\* to prefer making expeditions to that quarter of the globe, and particularly the English, who were early and successful in their American discoveries.

Portugal therefore was a long time unrivalled in her Asiatic commerce: and in however rash and weak a manner she conducted her affairs in India, from vain-glory, bigotry, and religious persecution, yet she became gradually enriched by it to an amazing degree. This prosperity of Portugal continued to the time of the failure of the male branches of her royal family, of which misfortune Philip the Second of Spain availed himself for pretences to take possession of that kingdom; whose views afterwards with regard to America, and whose frequent embroils with other powers, as well as with his own Netherland subjects, made him so inattentive to other pursuits, as to furnish from his own conduct and the example which he gave to his successors, opportunities to the Dutch, when they had cast off the Spanish yoke, for establishing their own power, by means that greatly injured the Portuguese settlements in Asia, Africa and America.

To the strong jealousy which Spain entertained of the Portuguese, and of course her disregard to their interest; to her embroils with the rest of Europe, and to her predilection for American pursuits, the Dutch were principally indebted for those opportunities which they had the skill fully to avail themselves of, for establishing their interest and power in Asia; which till lately, particularly from their monopoly of the spice-trade, had been long superior in India to that of all the other powers of Europe; and which yet is, and probably will continue, on a very formidable footing.

In the first age of the Portuguese power in India, their merchants used to trade inland to the most interior parts of Hindostân; such as Agra, Azmeer, Burrampore, Lahore, and down the river Indus, to Tatta and Amadavat; and, according to Cæsar Frederick's account, about

\* The situations of the times were also obstructive of such proceedings. The reformation in religion were then taking place in several parts of Europe, which introduced religious persecution, and caused many intestine broils. The royal succession was likewise growing to an end in Portugal, and was also endangered both in England and France. Spain was moreover an object of general jealousy, and had provoked revolts in some of her dependent provinces; and indeed the general peace of Europe was, in those times, by no means on a secure footing.

the year 1563, they used to send thirty or thirty-five ships from Bengal\*, loaded with rice, cloth, larks, sugar, long pepper, wood-oil and other commodities to the Malabar Coast every year.

In those times every possible encouragement was given by the Moguls to merchants of all nations, who, very contrary to the present impolitic conduct of the English East India Company, were allowed free ingress and egress for their traffic to and from Bengal, by land and by water; inasmuch that large caravans over land were used to come from the most distant parts, even from Muscovy, as well as large fleets of boats down the rivers † Jumna and Ganges, for the purposes of trade, into Bengal and the adjacent provinces.

The Portuguese, from too bigotted a zeal for religion, as well as the desire of getting money too fast, had been guilty of such oppressions towards the natives as served effectually to root an antipathy towards Europeans in their hearts. This contributed as much as any thing to the ruin of their affairs in India, which was also not a little hastened by the rivalry of the English, as well as the Dutch, after the year 1600. From the time of their first acquiring power in India, the Portuguese had enthusiastically demolished the idols ‡ of the Gentoos, and by persecutions endeavoured to abolish their customs, nay, and even to force them to the profession of the Christian religion, which could not but be destructive of all commercial intercourse: and, accordingly, as soon as the natives found protection and toleration in any new-established European settlements, all the trade in the neighbouring Portuguese ports speedily dwindled away to nothing.

The trade of England, directly with India, was hardly heard of till towards the later end of the reign of Queen Elizabeth; who, in the year 1600, granted her first charter, or letters patent to certain adventurers of this country, for fifteen years, which she precautionarily made revocable at pleasure, on two years notice being given under the

\* See HACKLUTT'S COLLECTION, Vol. I. page 230. In the original, it is said from *Satagan*; which word has puzzled all our old geographers, for want of a more intimate knowledge of the divisions of Bengal. *Satagan*, as mentioned by Cæsar Frederick, means a district composed of several of the peigunnahs subordinate to Hoogly, of which the accounts were kept in the K. 1g's books under the title of *Sutân Sautgaum*, and by which that part of the country was generally known.

† Ibid. Pages 252 to 257. Mr. Ralph Fitch, one of Queen Elizabeth's ambassadors to the Emperor Akbur, says, that in the year 1585, when he went from Agra to Satagan, or Bengal, he set off in the company of many merchants, with a fleet of 180 boats, down the Jumna, loaded with salt, (meaning a species of rock salt called *Sambull*) opium, hing, carpets and other commodities.

‡ In the life of Don Joam de Castro, a nobleman of high Character, who died Viceroy of India, (published at Paris 1759,) there is a letter, dated the 8th March 1546, from John III. King of Portugal to that Viceroy, full of the most rigorous instructions for the extirpation of idolatry. The Gentoos about Goa are to this day obliged to go several leagues from the city, whenever they perform any of their religious ceremonies.

privy seal. We know the transactions of that Company could never have been very important; and such even as they proved, there appeared to have been an effectual end put to them by the troubles of succeeding times. A new Company was however established in the reign of Charles the Second; to which the acquisition of Bombay, as part of the dowry of Queen Catherine, must have been not a little important. Yet this trade, during the reigns of Charles and James the Second, could never have been intended for other than a very limited prosecution, as the Companies were circumscribed to six good ships and six pinnaces to be employed therein \*. So that either the utility of the trade must have been strongly suspected, or there were some secret motives for fettering in such manner so important an undertaking; which, if good in its nature, could not have been prosecuted too far. But whatever were the motives for such a regulation, there appear no rational grounds for supposing, that the trade was prosecuted with any material degree of spirit during the reigns of Charles and James the Second; because those who obtained the first charter after the Revolution, which was granted by William and Mary, were so languid in their measures, as to give encouragement to an unchartered set of adventurers to establish a new Company in defiance of the royal prerogative, and in opposition to a body of men, who were, or ought to have been, possessed of such knowledge, from experience, as would have given them material advantages over such rivals as probably were less practised in the business. It is true, that an alteration in government might have occasioned an alteration in commercial matters; and a languor in the proceedings of the first Company might have principally induced the forming of another. All here contended for is, that the little success of preceding Companies, from what causes soever it might happen, served rather to discourage than animate a new one to spirited undertakings; therefore, till after the Revolution, there is reason for supposing the East India trade of this country had been extremely insignificant.

\* It may be thought strange, that the constitution of England should be so greatly strained, if not violated, for the sake of establishing a commercial monopoly, and at the same time, that there should be such very limited degrees prescribed to its operations. But Portugal in those days had recovered her independency, and India still continued to be a great object with her. One of the national bribes to the marriage of Charles with the Infanta Catherine was the surrender of Bombay to this kingdom; and it is not improbable that Charles, who was always in want of money, had a secret present given him to render the acquisition of as little importance as possible; which he did by limiting the very trade of the Company, who had likewise paid him for granting to them his exclusive charter. And this may the more readily be suspected, as in the reign of King William, the glorious deliverer of this nation, he, his ministry, and not a few of his parliament, were all paid to grant a new charter to an India Company, without any limitation whatever to their trade.

However,

However, after the erection of a second Company, the spirit of rivalry occasioned thereby must have pushed the prosecution of that trade to the utmost prudent degree; which might not be a little assisted and encouraged by the very improving state of our colonies and commerce. This rival contention was continued till the 6th of Queen Anne; when, by an act of parliament, the two Companies were united: which United Company, by renewals of their charter, has existed ever since; and, by a late extension of that which they possess at present, they are likely to exist till the year 1783.

It is certain, that since the union of the two Companies, three commercial causes have greatly contributed to the increase of this trade; which are, first, the immense improvement of our American, and of course African commerce, both of which have much augmented the consumption of Indian commodities: secondly, the great increase of the callico-printing business in this kingdom, owing to an extended foreign demand through a variety of channels; and, thirdly, the almost universal introduction of the use of tea, not only into this kingdom, but likewise into its dependent dominions.

In the early periods of the East India trade it appears, from various accounts in Purchas's Collection, that the English, as well as all other European adventurers, used to trade freely inland, under the protection of the Mogul government; transporting their goods in the carriages of the country, called Hackeries, to the most interior parts of Hindostân, where they carried on a considerable trade in many articles, particularly indigo, which used to answer very well before the cultivation of that plant in America. But upon the confusion introduced after the subversion and dismembering of the empire, the security of merchants became extremely precarious; who were made subject, as we find, to very great impositions in the different provinces, or Nabôbships, through which they passed. This indeed was so much the fact, that both Companies, while they continued separate, often experienced great inconveniencies from their agents going into the interior parts of the country to do their business; where they were frequently made to pay considerable sums to the Moorish Governors, or Nabôbs, for their releasements; for accommodations of disputes, or for reparation of injuries, sometimes real, but perhaps much oftener pretended. Therefore, after the uniting of the two Companies, when their affairs became reduced to a more regular system, it was made a general rule, not to permit any who were in their service, or under their jurisdiction, to go far into the inland country, without leave first obtained from the Governor and Council of the place at which they resided. There had  
been,

been, however, at all times, many persons who resided and traded in different parts of the inland country, who were subject to their respective laws; but being acquainted with the Indian languages and customs, they either took care to keep themselves out of scrapes with the natives, or having got into them, extricated themselves therefrom in the best manner they could, from knowing they had no kind of claim to the interference of those who acted for the Company. Such restrictions on travelling as have been mentioned were certainly necessary and prudent, with regard to the servants of, and dependents on the Company; while the country continued in so unsettled a state; but there can be no longer need of them now, at least in those countries which are under the immediate power of the English Sovereign-company. Yet it will be shown in subsequent chapters, in what degrees the Company and their representatives, in later times, have availed themselves of that obsolete restriction, to promote their own pernicious monopolies of the inland trade, and for the favouring of partial private views.

The whole trade of the English East India Company in Bengal consists in the sales of broad-cloth, perrets, copper, iron, lead, and a few other commodities from Europe; and in the purchase of piece-goods, silk, drugs, saltpetre, and other articles for the cargoes of their returning ships. The Dutch, besides their European imports and exports, carry on a considerable trade, on their Company's account, from port to port in India, particularly in Japan copper, tin, camphire, benjamin, tuthenaigue, sugar, spices, china-ware, arrack, &c. but the only trade of this kind carried on for account of the English Company, is a little opium sometimes, from Bengal to Bencoolen, about 600 bales of cotton on a ship now and then from Bombay or Surat, as tonnage offers, and a little pepper from Bencoolen to China: all of which is very inconsiderable.

All the goods imported by the English Company into Bengal are sold at stated periods by public auction, or, as it is termed in India, *at Outcry*; and upon the sales, a discount of nine, six, or three per cent. is allowed, according as the purchaser clears out his goods within the limited time. To these outcries all persons, without distinction, are invited by the allowance of a dustuck for such goods as they there purchase, which is given by the Governor upon their clearing them out.

The provision of the investment \*, for the cargoes of the ships returning to Europe, is made from ready money advances in the inland countries, partly under the direction of the Chiefs and Residents at the Company's subordinate factories of Chittagong, Luckypore, Dacca,

\* By investment is now understood the goods purchased at first hand, from the weavers, or manufacturers.

Cossimbazar, Maldah, Patna, Burdwan, and Midnapore, who send black gomastahs into the interior parts for that purpose, and partly by black gomastahs at the other Aurungs, or manufacturing towns, under the direction of a member of the Board of Council at Calcutta, who fills the post of export-warehouse-keeper.

The sole lawful difference between the trade of the English Company, and the trade of English free merchants and free mariners, as it was ever understood and practised in India during the independency of the Mogul government, was, that the Company's goods, by virtue of the Mogul's firman, confirmed afterwards by the usurping Nabôbs in their treaties with the Company, passed with their duffuck, duty-free, while those of the free merchants and other traders were exposed to the payment of the duties established by the country government.

The Portuguese have, for a considerable time past, scarce carried on any regular trade at their settlement of Bandell. The Dutch, French and Danes, the latter of whom at their settlement of Serampore obtained their *furnud* from the Nabôb Allaverdy Khawn about twenty years ago, likewise ought to possess their privileges of trading in all articles without exception; paying no duties on such goods as they import, but only two and one half per cent. at Hoogly upon what they export by sea, and conforming in all other articles of trade to the established customs of the empire. They likewise possess a small district of land round each of their settlements, and have been always used to give their respective duffucks also with their goods.

The Armenians, who have ever been a great commercial body in Hindostan, have also long had considerable settlements in Bengal, particularly at Sydadad. Their commerce was likewise established by the Mogul's firman, whereby the duties on the two principal articles of their trade, piece-goods and raw silk, were fixed at three and one half per cent. But after the subversion of the Mogul empire, and during the reigns of the independent Nabôb-usurpers, they, as well as the Europeans, were at times exposed to great impositions, and interruptions of their trade. At present, since the English Company have taken the sovereignty of the country into their own hands, they all trade under the appearance of the old forms, subject in all places within the Bengal provinces, out of the jurisdiction of their respective settlements, to such regulations as the English are pleased to impose on them\*, through the nominal Nabôbs; which regulations on many occasions

\* When the foreigners prove refractory, the Fowzdâr of Hoogly is made to surround their settlements with troops, in the name of the Nabôb, to stop their provisions, and obstruct their business. This has actually been frequently practised.



amount to a total prohibition of their trade, being in general temporary, contradictory, and wholly calculated for obstruction.

The difference also between the lawful trade of the Company's servants and that of English free merchants and other persons residing under the Company's protection was, that the covenanted servants of the Company, as hath been observed in another place, were by connivance of the country government, and long established usage, indulged with duffucks for the carrying on of their trade duty-free, while the others, for want of that duffuck, were subjected to the payment of the government duties. It is true, the inconveniencies and impositions which the want of this duffuck exposed the European free traders to, were such as generally induced them to prefer contracting with the Company's servants for the delivery of such goods as they wanted in Calcutta; and it in fact amounted to an almost total exclusion of them from the inland trade, from one place to another, which, when Bengal flourished, was generally very beneficial.

With respect to the trade that was actually carried on within the Company's principal settlements of Calcutta, Madras and Bombay, all were, or ought to have been upon an equal footing.

Such was the situation of trade before the English Company made themselves the Sovereigns of Bengal: and this representation is agreeable to the ideas of the former Courts of Directors in England; who, in their general letters to India down to the year 1757, and particularly in that year, gave their express sentiments and directions upon this subject to their different presidencies, in this manner. " That all persons under  
 " the protection of the Company should have the liberty of resorting  
 " to, and trading at all and any of the Company's settlements in the East  
 " Indies, and at all other places within the Company's limits, in as full,  
 " true and extensive a manner as the rest of the Company's servants;  
 " they paying the duties according to the usual and customary methods  
 " and rates established at such places." And about the same time, in order to ascertain the rights of persons residing upon the western coast of Sumatra, the Court of Directors were also pleased to give their sentiments to their President and Council at Bombay in the following words. " All  
 " persons residing upon the west coast of Sumatra, who shall resort to,  
 " or trade, either by themselves or their agents, at Fort St. George, Fort  
 " William, or Bombay, and their respective dependencies, are to buy  
 " and sell publicly or privately, as they themselves shall choose; dealing  
 " freely, and without restraint with whomsoever they shall think  
 " proper; and if, contrary to this article, they shall be oppressed or  
 " injured by any person whatsoever, such person or persons, let their  
 " rank

“rank be what it may, will incur our highest displeasure, and shall  
“certainly feel the weight of our resentment.”

Those were the judicious orders given for the protection of trade by former Courts of Directors: and by the representation which has been just given of the nature of the English Company's trade in India, the reader, who is a merchant, will easily see that upon a footing of fair trade, it must be ever for the interest of the Company, though not for that of their servants, to encourage private traders of all nations, in India, for these obvious reasons; that the more traders, the more purchasers of the Company's staple imports, the sales of which would be the more industriously pushed in every corner of India; and the more providers of goods at the manufacturing towns, the more the manufacturers would be encouraged, and upon a free inland trade, the more goods would come to market. But since the English East India Company have become the Sovereigns, they and their substitutes have been exclusively the sole merchants of Bengal, and seem to have adopted sentiments as repugnant to the true spirit of mercantile affairs, as could possibly be conceived: nay they have of late even ventured to assert, that they alone have a right to trade *in India*; and in consequence of that absurd opinion, they have directed certain merchants, inhabitants of Calcutta, not to trade; alledging, very nicely, that though they might have a legal right to reside at their settlements, they could have no right to trade there; which is the same thing as telling a man he may have a right to live, but no right to use the means of his profession for acquiring wherewithal to support life.

It is true, that such restrictions have never been laid but upon particular persons whom the Company designed to oppress and crush. But how miserable and despicable must that state of the government of the Company's affairs be, wherein the general system of justice is stopped and perverted, for the sake of oppressing an individual!

It is true also, that this absurd doctrine has never been maintained or enforced till within these six years past; since which time every manœuvre of those who govern the English East India concerns, and particularly in Asia, seems to have been calculated with a view to facilitate the monopolizing of the whole interior trade of Bengal. To effect this, inconceivable oppressions and hardships have been practised towards the poor manufacturers and workmen of the country, who are, in fact, monopolized by the Company as so many slaves. This species of monopoly has occasioned frequent complaints from the agents of the French and Dutch Companies: the latter of whom, upon a late dispute,

made proposals to the English for a participation of the weavers. As nothing can shew the state of the Company's inland trade in Bengal better than the words of their President and Council at Calcutta upon this very subject, we will give them, as contained in part of the 62d paragraph of their General Letter to the Directors, dated the 14th September 1767, which were as follow.

“ A participation of the weavers would be *to throw off the mask*, and  
 “ acknowledge ourselves the sovereigns of the country. It would coun-  
 “ teract, in the most expressive manner, *the professions we make, the*  
 “ *appearances we necessarily assume, and the endeavours we use of seeming*  
 “ *to act from the Nabob's authority only.* In a word, the disproportion  
 “ of hands necessary to form their investment and yours would appear  
 “ *so great*, that we could not accept the proposals of participation,  
 “ without confessing all that *policy requires should be concealed.*”

Various and innumerable are the methods of oppressing the poor weavers, which are daily practised by the Company's agents and gomastahs in the country; such as by fines, imprisonments, floggings, forcing bonds from them, &c. by which the number of weavers in the country has been greatly decreased. The natural consequences whereof have been, the scarcity, dearth and debasement of the manufactures, as well as a great diminution of the revenues: and the provision of the Company's investment has thereby now become a monopoly, to the almost entire exclusion of all others, excepting the servants of the Company highest in station, who having the management of the investment, provide as much as their consciences will let them for the Company, themselves and their favourites; with excepting also the foreign Companies, who are permitted to make some small investments, to prevent clamours in Europe.

As our 14th chapter particularly treats of the general modern trade in Bengal, and of the oppressions and monopolies which have been the causes of its present decline, we shall here refer our readers thereto, for what farther relates to such matters.

## C H A P. IX.

OF the COURTS of LAW established by the CHARTER granted to the COMPANY; and of the GOVERNMENT, POLICE, and ADMINISTRATION of JUSTICE in BENGAL.

**I**N all countries the right administration of justice is the foundation of national prosperity; as, on the contrary, the gross and partial abuses of it, will ever prove the sources of inevitable ruin.

Despotism and arbitrary violences are not more pernicious to individuals than they are unpropitious to trade, and hurtful in their consequences to a state. Without great personal security, there will be no extraordinary exertions of industry, nor indeed strong applications of any kind. Even fortunes will be considered as hardly worth acquiring, if the possession of them be rendered too precarious; and still less will men be inclined to hazard such as they inherit, in commercial undertakings, if not protected by salutary and well-executed laws; because property so employed will be always in danger from the abuses of extreme power.

Wherever the legislative and executive powers are lodged in the same hands, whether of one or more persons, they, together, may be considered to constitute complete despotism; because, there, will exist, the overbearing power of making, altering, abrogating, interpreting, and executing laws at will.

In a great degree, the English East India Company has been invested with such powers, by the authority given them as a body-corporate, to make bye-laws for the regulation and management of their own concerns, although with the precautionary proviso, that such bye-laws shall be agreeable to reason, and not contrary or repugnant to the laws of the realm. This is a power which perhaps might be safely trusted, where its operations must be within the immediate reach of the laws of the land, or even farther, if merely confined to commercial undertakings. But this high trust in the India Company, which is exercised by their deputies, and even by the dependents on those deputies, from unforeseen events, has extended in the most remote regions of the globe, to large, wealthy and populous provinces, now appertaining to the sovereign and state of Great Britain; where the laws of this kingdom can afford little protection to those who go from hence to In-

dia, and none at all to the natives of those countries ; who, nevertheless, are now the subjects of the state, and ought to be under the protection of the supreme legislative power. " This high trust, which, at present, thus descends to a second and even third delegation, and may be made productive of all kinds of injuries and oppressions to many millions of people, is actually executed, at an immense distance from the seat of government, by such persons as are too frequently most interested in the practice of oppressions, and almost every species of injustice and violence.

In all national settlements, Englishmen live under the protection of the laws of their country ; of the full enjoyment of which right, there is no power in this kingdom which can constitutionally deprive them. And accordingly the laws of England have expressly appointed, that justice is to be administered in the Company's settlements in India according to the English laws, not only to the natives of this realm, but to foreigners who reside there under the Company's protection, and likewise to such of the natives of India as choose to appeal to them. Such is the spirit of the laws made here with respect to justice in India ; but there have been furnished, by certain unconstitutional powers given to the Company, that which has in practice so corrupted, or perverted the letter of the law, as to render it little better than a convenient covering to abuse.

In England, the Sovereign appoints the judges, who are constitutionally the expounders of the laws and presiding magistrates in the tribunals of distributive justice. But that they may continue entirely uninfluenced in the discharge of their trusts, the Sovereign who appoints them, cannot dismiss them from their offices. This can only be done by an impeachment in parliament, on an exhibited charge of high crimes and misdemeanours in their official capacities, on which they are brought to trial at the bar of the house of peers : so very guarded are the stations of judges against undue influence in this kingdom.

Upon a representation being made to the Crown by the East India Company, that "*by a strict and equal distribution of justice within the*" factories and places belonging to them in the East Indies, and other "*parts within their limits, from the Cape of Good Hope to the Streights*" of Magellan, they had very much encouraged, *not only the subjects* "*of Great Britain*, but likewise the subjects of other Princes, and the "*natives of the adjacent countries to resort to and settle in their several*" factories, for the better and more convenient carrying on of trade ; "*by which means some of the said factories, and especially the factories*"

“ of Madras, Bombay, and Bengal, were become very populous: and  
 “ upon the petition of the said Company farther suggesting, that the  
 “ granting them such powers as might conduce to the punishing of  
 “ vice, administering of justice, for the trying and punishing of capital  
 “ and other criminal offences, and the better government of their said  
 “ settlements abroad; would not only tend to the advancement of those  
 “ good ends, but also to the increase of the national trade, and of his  
 “ Majesty’s revenues,” the two charters of justice of the 24th Sept. in  
 the 13th year of Geo. the 1st. (1726) and of the 8th Jan. and 26th of  
 Geo. the 2d. (1753) were, in pursuance of several acts of parliament  
 passed for that purpose, granted to the East India Company.

It was upon a representation from the Company, that it had been  
 found, by experience, that there were some defects in the first-men-  
 tioned charter (of which notice will be taken hereafter) that the sur-  
 render of the first charter was accepted, and the second granted them.  
 The courts of justice established by the authority of the British legisla-  
 ture in the Company’s principal settlements, especially in Bengal (of  
 which we more particularly treat) as appears by the charter last-men-  
 tioned, are the following.

First, THE MAYOR’S COURT; being a Court of Record, consisting of  
 a Mayor and Nine Aldermen, Seven of which Aldermen, together with  
 the Mayor, must be natural-born British subjects; and the other Two  
 Aldermen may be foreign protestants, the subjects of any other Prince  
 or State in amity with Great Britain; which Court is appointed a body  
 politic and corporate, to have perpetual succession; and, being persons  
 capable in law to sue and be sued, they, or any Three or more of them,  
 (whereof the Mayor or Senior Alderman for the time being, then resid-  
 ing in the settlement, to be One) are authorized to try, hear, and de-  
 termine all civil suits, actions and pleas, between party and party, that  
 may arise within the said factories, except such suits or actions should  
 be between the Indian natives only; in which case such suits or actions  
 are to be determined among themselves, unless both parties shall by  
 consent submit the same to the determination of the Mayor’s Court.  
 And this Court is further authorized to grant probate of wills, and letters  
 of administration for the estates of persons dying intestate.

For putting this charter in execution, instructions have been sent out  
 by the Company, as drawn up by their lawyers, for the direction of this  
 Court, as to the form and method of their proceedings; which is by  
 bill and answer, in imitation of the proceedings in the High Court of  
 Chancery; but the Court of Aldermen, or a quorum of three of them, as  
 above mentioned, when the cause is at issue proceed to hearing, and  
 the

the giving of judgment in matters of the greatest concern, without ever appointing a jury to find damages, as is the custom in England.

The Governor or President and Council of Calcutta have, by charter, the appointment of the said Mayor and Aldermen, who, after that nomination, are to continue for life in their respective offices of aldermen: but this continuation in office is strangely circumstanced; for the same Governor and Council are impowered to remove, without even the concurrence of the corporation, any alderman, upon a reasonable cause, of which they are left the sole judges in India; such their sentence or adjudication of removal being only subject to an appeal to his Majesty in Council, in England.

The Second Court is THE COURT OF APPEALS, being also a Court of Record, consisting of the said Governor and Council, any three of whom, the Governor, or in his absence the Senior of the Council being one, are authorized by the charter to receive, hear and finally determine every cause appealed from the decrees of the Mayor's Court, in which the value sued for does not exceed one thousand pagodas, or about four hundred pounds sterling; and from all their decisions in causes above that sum, there lies an appeal to the King in Council, upon security being given for the payment of the sum adjudged, with interest from the time of the decree, and costs of suit.

The Third Court is THE COURT OF REQUESTS, consisting of Twenty-four Commissioners, selected originally by the Governor and Council from among the principal inhabitants of Calcutta, who are appointed by the said charter to sit every Thursday, with powers to hear and determine suits in a summary way, under such orders and regulations as shall from time to time be given by a majority of the Court of East India Directors; which Commissioners, or any three or more of them, are to sit in rotation, and have full power and authority to determine all such actions or suits as shall be brought before them, where the debt or matter in dispute shall not exceed the value of five pagodas, or forty shillings. One half of the number of the Commissioners, being those who have longest served, are removed by rotation annually, on the first Thursday of December, and an equal number are chosen by ballot from among themselves.

By the said charter the Governor of Calcutta, and all the members of the Council for the time being, and they only, are appointed, and have power to act as justices of the peace in and for the said town of Calcutta, and all other the factories subordinate thereto, with the same powers as justices constituted by commissions under the great seal of Great Britain, in and for any part of England.

The

The Fourth Court is THE COURT OF QUARTER SESSION, consisting of the said Governor and Council for the time being, any three or more of whom, the Governor, or in his absence the Senior of the Council then in Calcutta to be one, are authorized to hold quarter-sessions of the peace four times in the year, within the districts of Calcutta, and were at all times thereafter to be a court of record, in the nature of a Court of Oyer and Terminer and Gaol Delivery ; and Commissioners of Oyer and Terminer and Gaol Delivery for trying and punishing of all offenders and offences (high-treason only excepted) done or committed within the districts of Calcutta and the factories subordinate thereunto ; and it is thereby ordained to be lawful for the said justices and commissioners respectively, to proceed by indictment, or by such other ways and in the same manner as is used in England, or as near as the condition and circumstances of the place and inhabitants will admit of, issuing their warrant or precept to the Sheriff, (who is likewise elected and appointed by the said Governor and Council) commanding him to summon a convenient number of the inhabitants to serve as Grand and Petit Juries ; and the said Justices are also authorized to do all other acts that Justices of the Peace and Commissioners of Oyer and Terminer and General Gaol Delivery usually and legally do ; and the Court may assemble and adjourn at and unto such times and places as they shall judge convenient.

By the said charter, the East India Company and their successors are authorized to raise forces within their said limits, and to appoint such generals and officers to command the same by sea and land as to them shall seem meet ; with powers to make war, and to kill, slay and destroy all and every such person or persons as may at any time enterprize the destruction, detriment, or annoyance of them, or of any of their servants, or persons dealing with them ; and in time of open hostility they are authorized to use and exercise martial discipline and the law martial, in such cases as occasion shall necessarily require. In support of these very extraordinary privileges, granted by such extraordinary stretches of prerogative and power, to a body of merchants over their fellow-subjects, in the twenty-seventh of George the Second an act of parliament was also passed, entitled, An act for punishing mutiny and desertion of officers and soldiers in the service of the United Company of Merchants of England trading to the East Indies, whereby the Company and their representatives, the Presidents and Councils for the time being at their several settlements, are authorized to appoint courts-martial for the trial of their officers and soldiers for all offences, to be tried



tried and proceeded against in such manner as by the said act is directed.

And by virtue of the said royal charter or letters patent, all such fines, forfeitures, penalties and sums of money, as may be set or imposed upon any person or persons in the course of justice in the said several courts, are given to the said United East India Company, whose Directors for the time being, or the major part of them, or their Presidents and Councils, are, under certain restrictions, also authorized to make and ordain bye-laws and ordinances for the good government and regulation of the said several corporations and courts, and to impose reasonable pains and penalties upon all persons offending against the same.

Besides the above-mentioned courts, established in Calcutta by the royal charter of justice, there are two others still subsisting, which were granted or connived at by the Moguls or the Nabôbs of Bengal formerly, when the Company were totally dependent on the COUNTRY GOVERNMENT, as they call it. These were courts, if they may be so called, that were allowed the Company for the preservation of order and good government in Calcutta, and in the very limited districts formerly belonging to it, when they had no other authority for the exercise of any judicial powers.

One is the COURT OF CUTCHERRY, which, on its present establishment, is composed of the Company's servants under Council, any three of whom, their President being one, upon days stated at their own option, meet for the hearing, trying and determining, in a summary way, all matters of *meum* and *tuum* to any amount, wherein only the native inhabitants of Calcutta are concerned. The mode of proceeding is indeed as summary as possible. The plaintiff and defendant, with their respective witnesses, being summoned, the Court hears what they have to offer and prove, *visâ voce*, and immediately proceed to decree in such matters as do not admit of much contest. From the decisions of this Court the Company have directed appeals to lie finally to the Governor and Council; which however is seldom done, except in matters of the greatest consequence, as it is in those cases the general practice of the Court, when not unduly interrupted, to have every cause determined by arbitrators or umpires, chosen by the parties, or with their consent; whose decision is final, and made a decree of the Court.

The other CUTCHERRY is called the ZEMINDARY, or FOWZDARY COURT, in which, according to late practice, presides a member of the Board of Council, or sometimes a servant under Council, alone; his business

business is to enquire into complaints of a criminal nature among the black inhabitants, and in cases where the natives do not apply to the English established courts of justice; in which cases the charter, as we have already seen, directs, that the English laws only shall be observed. He proceeds also in the above summary way to sentence and punishment, by fine, imprisonment, condemnation to work in chains upon the roads for any space of time, even for life; and by flagellation, in capital cases, even to death. The ancient Moguls and Nabôbs would not permit any of the professors of Islâm to be hanged according to the English custom, esteeming that too ignominious a death for a Mahomedan to suffer; therefore, in such cases as were deemed capital, the lash was permitted to be inflicted until death; but the officers of the Court called *Chawbuckswârs*, or Lashbearers, are sometimes so dextrous as to be able to kill a man with two or three strokes of the Indian chawbuck. In cases which, according to the usage of this Court or Office, are deemed to deserve death, it has been usual for the Zemindâr first to obtain the approbation of the President and Council, before the fatal stroke be given.

Besides the above-mentioned, there is another CUTCHERRY, called THE COLLECTOR'S CUTCHERRY, which has been established in Calcutta ever since the Company had any thing to do with the collection of ground-rents. By the treaty of June 1757, the Nabôb Jaffier Ally Khawn granted to the English Company, as *Zemindârs*, all the lands about Calcutta, to the extent of six hundred yards without the ditch called *The Marahat Ditch*\*, which partly surrounds the town, and likewise the land lying south of Calcutta, generally known by the name of the Twenty-four Pergunnahs; all which is now under the jurisdiction of the Collector, who is generally a member of the Council, though sometimes a junior servant. This officer has charge of the collection of the revenues of those districts, and superintends, nay absolutely directs all judicial matters arising within the jurisdiction of the said Twenty-four Pergunnahs. He is, from the nature of his office, greatly concerned also in the police of the town of Calcutta, issuing under the Company's seal the leases called *Pottahs* to the inhabitants, for the tenures of their houses and grounds, repairing the roads and disposing of the petty farms, which constitute a considerable part of the revenue of the town of Calcutta; granting licences to the natives to marry, on which the Com-

\* This means a ditch so called, which, in the year 1742, the inhabitants of Calcutta, by permission of the Governor and Council, undertook to dig at their own expence, and carry round the settlement, as a security against the incursions of the Marahatshs.

pany also collect a duty (three Sicca rupees from each party) as well as on the sales of registered slaves and new-built sloops. All grain brought into the Gunges or public granaries, as well as every necessary of life, with many other articles brought to the Bazárs or public markets in Calcutta, pay a duty upon importation, the collection of which is superintended by this Collector. The privilege of exercising many handicraft-trades is likewise farmed out by the Collector to farmers, who collect from some a certain sum for the licence of exercising their respective trades, and from others even a part of their daily wages. The collection of many of these taxes gives occasion to great oppressions from the farmers, and the numberless harpies who are necessarily employed as tax-gatherers, and are in general of great prejudice to industry and population among the lower class of people, who are harassed on all sides; for it is even a common thing to see the seapoys, who are stationed as guards at different places, take from the poor as they pass to market something out of every one's basket. The principal or head Cutcherry of this officer is in Calcutta, where he transacts the business of his department, and where the farmers and tenants under his jurisdiction who are backward in their payments, as well as others for crimes and misdemeanors, are confined, whipped, and otherwise punished, independently of the other courts established in Calcutta.

All other matters of policy, government and police, are usually executed by the Governor and Members of the Council at Calcutta, or by a Secret or Select Committee, composed of part of the said Council; which Committee has of late been entrusted by the Court of Directors with powers independent of and superior to those of the whole Council. The original intention of the appointment of a Select Committee was for conducting the Company's military and political operations with secrecy; but the Governors and Committees in Bengal, who have of late been entrusted with such extraordinary powers, have turned them very conveniently to their emolument, and the serving of their own private views, having for that purpose extended their jurisdiction, without limits, to all affairs, commercial, civil and criminal, as well as military and political, wherein a pleaded necessity of secrecy has been made to authorize all kinds of arbitrary and unwarrantable acts.

The Governor, who is likewise Commander in Chief of all the Company's forces, is always President of these Select Committees; and, by the established regulation of the Company's service, is the person to whom all correspondence, by letter or otherwise, with the COUNTRY POWERS is committed, and the only person in the service to whom such correspondence, of any sort, is allowed: the substance of which he has entirely

tirely in his power to lay before his Committee or Council, at such time, and in such form as he pleases, without any check or controul: so that the Company's collectors, the pretended Nabobs of Bengal (whose total dependency and servitude we have fully set forth in our sixth chapter) in fact know no other power than that of the Governor of Calcutta \*, whose orders are by them implicitly executed in all those districts that are without the bounds of the jurisdiction of the charter, which is confined to the tract within the Marahat Ditch, and does not even extend to the shore of the river which is opposite to the town.

The Governor has been of late also allowed, or has assumed, the privilege of granting dustucks to such persons, not servants of the Company, as he thinks proper, which enable them to trade duty-free.

Besides the abovementioned extraordinary privileges, the Governor, from the present and late usage of the service, possesses likewise a power which is of worse consequence to the natives in the settlement than any we have yet taken notice of, over whom it gives him the most unbounded authority, though it may be scarcely known to many Europeans who have resided in Calcutta. This is the privilege of settling the affairs of the casts, or tribes of the Hindoos, by which means any individuals among them may be made outcasts from their families and friends, and even whole families may be branded with infamy never to be effaced; so that none of their connections, or others of the esteemed tribes can on any account eat or drink in their company, without incurring themselves the same infamy; nay, or even touch them, without being necessitated to an expiatory ablution in the Ganges. The consequence of this privilege, which has been of late entirely left to the Governor, and by him generally delegated to his *Banyan*, can only be conceived by those who are acquainted with the religious tenets and superstition of the Gentoos.

It becomes in this place necessary, for the information of the reader, to explain what a *Banyan* is, as those Banyans have in fact a principal

\* See part of a letter from two gentlemen of the Council in Bengal to the Court of Directors, dated Fort-William, the 14th January 1766, *Authentic Papers concerning India Affairs*, page 205, as follows.

"We must here take notice of a source of power and influence, which any Governor, in the present state of affairs, has over your other servants, that of stopping the trade in the country of any who become obnoxious to him. His authority over the officers of the government will lead them eagerly to anticipate his resentments, and a hint to them will suffice. The correspondence with the officers being confined to the Governor, he has it in his option to give what private orders he pleases, and which would be certainly obeyed without his name ever appearing. Such is his power over the inhabitants of this country; and such the nature of the people, that every one will be ready to bear testimony to whatever they think will be agreeable to him. Thus he bears the most absolute command over the trade and fortunes of your servants, without controul; which appears to us a very dangerous sway."

share, as deputies and interpreters, in every department of the government, as well as of the commercial concerns of the English East India Company in Bengal.

A Banyan is a person (either acting for himself, or as the substitute of some great black merchant) by whom the English gentlemen in general transact all their business. He is interpreter, head book-keeper, head secretary, head broker, the supplier of cash and cash-keeper, and in general also secret-keeper. He puts in the under-clerks, the porter or door-keeper, stewards, bearers of the silver wands \*, running footmen, torch and branch-light carriers, palanqueen bearers, and all the long tribe of under-servants, for whose honesty he is deemed answerable; and he conducts all the trade of his master, to whom, unless pretty well acquainted with the country languages, it is difficult for any of the natives to obtain access. In short, he possesses singly many more powers over his master, than can in this country be assumed by any young spendthrift's steward, money-lender and mistress all together; and farther serves, very conveniently sometimes, on a public discussion, *to father such acts or proceedings as his master dares not avow.*

There is a powerful string of connections among these Banyans, who serve all the English in the settlements of Bengal, as well in all public offices as in their private affairs.

Since the great influence acquired there by the English, many persons of the best Gentoo families take upon them this trust or servitude, and even pay a sum of money for serving gentlemen in certain posts; but principally for the influence which they acquire thereby, and the advantage of carrying on trade, which they could not otherwise do; and which in this situation they frequently do, duty-free, under cover of their masters dustucks. There have been few instances of any European acquiring such a knowledge in speaking, reading and writing the Bengal language (which is absolutely necessary for a real merchant) as to be able to do without such a Head-banyan.

Besides the powers already taken notice of, the Company, and under them the Governor and Council, pretend, that, by the charter, they have a right at any time, at their pleasure, to seize any European subject in India by military force, without any form of legal process, and to send him a prisoner to England, if he refuses to go voluntarily, after having had what they deem a reasonable notice given him; notwithstanding such person went out and established himself in India with the licence of the Company: which pretended right, as we have seen in another place, the Company and their said servants actually and frequently

\* Called *Chaubdârs* and *Sontaburdârs*.

do exercise suddenly, and without controul, sometimes even against the established magistrates of the Mayor's Court.

Having thus given a brief account of all the courts established and now existing in Calcutta, and of the powers granted to them, or assumed by those members of the community who compose the principal wheels in the machine of this monstrous government, we come of course to our considerations on the extent and consequences of those powers, and certain circumstances attending them, which we will afterwards exemplify by real matters of fact.

By the charter of the 13th of George the First, the Mayor's Court had the power of electing their own members to fill up all vacancies: and while such continued to be the practice, that court was the bulwark of all security with regard to property in the settlement, and might be considered, in a great degree, as independent. Indeed it was so much so at that time, (before the Company had adopted, in so common and frequent a manner, the practice of seizing persons and sending them prisoners to England) that it was deemed inconvenient to the Company, who had many decrees given against them: and this was thought the grand defect before hinted at; against which, though not expressed, the Company petitioned the crown, and obtained the charter of the 26th of George the Second, whereby the right of electing Aldermen was transferred from their own body to the Governor and Council, who thereby had this unconstitutional power given them of making and unmaking the Judges.

This court is composed partly of Company's servants, and partly of free merchants; and such Aldermen, not being covenanted servants, as are esteemed to be complaisant to the measures of GOVERNMENT, as there called, are generally indulged by the Governor with the privilege of dustucks for carrying on their private inland trade duty-free; which, as we have before observed, according to the usage of the service, has been otherwise confined to the Company and their servants only: for it must be remarked, that the salary of an Alderman is only about twenty-five pounds per ann. which will scarcely pay one month's house-rent in Calcutta.

The President and Council, in their capacity of a Court of Appeals, decree decisively in all matters under four hundred pounds; consequently in suits wherein the Company, or the said Governor and Council are concerned, there is little chance of justice being had, except where the subject in contest amounts to above that sum, and when the aggrieved party can bring his cause from India in an appeal to that respectable tribunal, the Sovereign and Council of England; for which he must be able to afford a very heavy expence; to subject

himself to great trouble and long delays ; to incur the odium of the gentlemen in the government of Bengal, and to suffer the dreadful effects of their power.

The liberty of an appeal to the King in Council, allowed by charter in the case of an Alderman dismissed from his office in the Mayor's Court, is made perfectly illusive in the cases of British subjects. Suppose the dismissed magistrate comes home to prosecute his appeal, and that the sentence of his motion be reversed by that tribunal, the law says, that no British subject shall go to India without the licence of the Company, and the charter expressly stipulates, that if any Alderman be absent from Calcutta for the space of twelve months, his place or office shall be void. The Company refusing their licence for him to return, he must first go to law with that powerful body, to oblige them to grant their licence ; if he should obtain this, and return to India, they may again remove him for having been too long, though necessarily absent, and thus they may continue referring him from England to India, and from India to England, almost as long as they please.

The Court of Requests is, in fact, the only Court in Calcutta which, from being under little or no undue influence, is of real and essential service to the poor inhabitants, and this principally because the members fill up all vacancies in the Court by ballot among themselves, and because the matters in contest, being confined to forty shillings, must in general be beneath the notice or interference of the Governor or Counsellors.

The said Governor and Members of the Council, being the only justices of peace, can and do frequently refuse to take cognizance of complaints laid before them, on oath, for redress in lawful cases, when they, or the Company, are any way interested in them : and in the same cases, when sitting on the bench at the General Quarter Session as judges, they have frequently put a stop to the due course of proceedings on the most \* frivolous pretences, or adjourned the Court from time to time, to evade the enquiry, while the injured parties have been left without resource.

\* Such as, " that the persons called upon by the prosecutor were servants of the Company, entrusted with the knowledge of the records and proceedings of the Governor and Council, which they were bound by oaths to keep secret, under penalty of forfeiting the Company's service, and of other heavy punishments. That the prosecutor might call upon them as witnesses, in order to make them disclose the proceedings of the Governor and Council of Calcutta, and therefore they, the Court, could not but object to such witnesses giving evidence upon matters which might be the means of their betraying of circumstances that they were in duty bound not to divulge, as in such case they must either perjure themselves, or violate their fidelity to the Company."

As to the Cutcheries, particularly that called The Court of Zemindary, the business there is often carried on in so burlesque and ludicrous a manner; and it is so frequently made use of as a convenience for oppressing the inhabitants, that, considering the Company's present situation, the relation they bear to *the Prince whom they call Mogul and their collectors whom they call the Nabobs of Bengal*, and, considering the powers they possess from the charter, of administering justice according to the English laws, it is a scandal to this nation that such Cutcheries are now permitted to exist in a British settlement, whatever may have been the necessity for them when the Company were dependent on the Mogul, and before they had obtained their charter of justice.

It is plain, from what has been said of the nature of other privileges and powers, whether rightfully possessed, or assumed by the Governors and Councils, that every European within the limits, and under the protection of the Company in Bengal (of whom the grand and petit juries are composed) is entirely dependent upon them and their Governors, or Governors and Councils, not only for all they have to expect towards making their fortunes, but for the security of their present possessions, as well as for their own personal liberty, *and even for that of their lives*; particularly, if they venture out of the very limited districts of the charter, into the *Nabob's dominions*.

It is scarce conceivable to what a low degree of eastern servile obedience the exercise of such oppressions, and the dread of being deprived of a fortune, or the means of making one, have reduced even the boasted free subjects of Great Britain in the settlement of Calcutta, where to appear sensible of the existence of an oppression, is a crime; to speak of it, treason: but it is a fact, that persons, who have been under the displeasure of the Governor and Council, have received letters from their most *esteemed* friends, excusing themselves from not coming to visit them, for fear it should be known they had been at such houses.

Upon a simple perusal of the foregoing, which is a just account of the state of Calcutta, with respect to the courts of law and justice, it must appear evident to every reader, that the state of justice there is very precarious; and that, in reality, it must be ridiculous to expect obtaining it in that settlement in any cases wherein the Governor, the members of Council or the Company are concerned; or wherein they choose, from what motives soever, to interfere; as the said Governor and Council, who are the dependent delegates of the Company, are the supreme justices and judges in all criminal and civil affairs, and at the



the same time are the makers and unmakers of the mayor, aldermen, sheriff, and all other officers; and farther, have not only the natives, but even the grand and petit juries at their mercy. In fine, this is so much the case, that the Mayor's, like every other Court in Calcutta (except, as before observed, the Court of Requests) is become rather a scourge in the hands of the Governor and Council than an instrument of relief to the injured: and justice in Bengal is made so much a political farce, that no one concerned in the administration of it dares so much as to hazard the giving of offence to any gentleman in power.

It is true, that by an act of the 27th of Geo. the 1<sup>st</sup>. it is enacted, that "if any of the Company's Governors or Councils, at their respective principal settlements, or any of them, shall be guilty of oppressing any of his Majesty's subjects beyond the seas, *within their respective jurisdictions* or commands, or shall be guilty of any crime or offence, contrary to the laws of England, such oppression, crimes, and offences may be enquired of, heard, and determined in his Majesty's court of King's Bench, within that part of Great Britain called England, or before such commissioners, and in such county in England as shall be assigned by his Majesty's commission, and by good and lawful men of the same county; and such punishments shall be inflicted on such offenders as are usually inflicted for offences of the like natures committed in England:" which was repeated in another act of the 10th of his present Majesty, with this addition, "that the offences committed against that act may be alledged to be committed, and may be laid, enquired of, and tried in the county of Middlesex; the defendants in such action or suit having liberty to plead the general issue, and give the special matter in evidence, on such defendant's giving the plaintiff a note in writing of the substance of his defence six or eight days before the trial of such action."

Here the oppressed have the appearance of a remedy held out to them; but, upon examination, it will be found an appearance only. The great distance from England, and other disadvantages, obvious from what has been already said, together with the length of time and the expence necessary for such undertakings, would in most cases amount to an impossibility to prosecute; and which, in fact, would be impracticable in all cases unless the injured party himself came over to England, where he must then wait till his oppressor comes within the jurisdiction of the court; who may perhaps continue to reside in India for many years, and after all establish himself in a foreign country. If it is the injured man's good luck to be able to serve the offending party

party with the process of the court within three or four years, he will then be put to the greatest difficulties with respect to evidence, which the laws of England so justly require to be *viva voce*. The Gentoo natives of the country, from the ordinary course of business in Calcutta, most probably, are the injured man's principal witnesses: and if these people could even be induced to trust themselves on such a voyage, and in climates so unfavourable to them, yet they would otherwise be effectually prevented from coming to England, as their so doing would be to violate religious tenets, and make them incur the infamy of expulsion from their casts or tribes; which is what they would rather die than submit to suffer. This of course must necessitate the party in quest of justice to send out a commission to India for the sake of evidence, which, admitting that he could surmount the difficulties which must then beset him, will naturally prolong his suit for years: or, when his commission reaches Bengal, his witnesses may be in what they call the NABÔB'S DOMINIONS; where it may be easy for the Governor and Council to keep them concealed, to obstruct or evade the execution of the commission, and so prevent his obtaining any written evidence by any means whatsoever.

The legal jurisdiction, as we have already observed, which the Company derive from the charter and acts of parliament, as they now stand, extends, or is allowed to extend, only to the town or settlement of Calcutta, and some subordinate factories; the limits of all which together are of very small extent, and which they formerly held in subordination to the Moguls, or Nabôbs. But the jurisdiction now assumed and exercised by the Company and their substitutes is, in fact, entirely unlimited, and without check or controul throughout all the provinces called THE NABÔB'S, of which they collect the revenues. Provinces into which it has never been customary for writs to issue out of any of his Majesty's courts, established by charter, either civil or criminal, they having hitherto been deemed independent of any such authority.

The mercantile business of many of his Majesty's European subjects, and of such of the natives as can now find ways and means to carry on any, principally lies in those inland parts to which the said legal jurisdiction of the charter is not allowed to extend. It has been here that have been felt in the most extreme degree the ruinous effects of such monopolies, as it will be shewn in a subsequent chapter, were established and prosecuted under the cloak and sanction of the assumed powers of the *Dewanee*. Here his Majesty's defenceless subjects have been most exposed to oppression. It is here that the natives suffer un-

paralleled cruelties from the Company, or their servants, either acting by themselves, or through the Nabôbs, without even a probability of such injured persons ever obtaining justice, as they have no Nabôbs with a protecting power to apply to: and even the English laws, if duly enforced, leave them without remedy, because the oppression, in cases of complaint, is alledged to have been committed without the limits of the Company's districts, and ascribed to our NABÔB, who is made to father it, as the act of an independent Sovereign.

Great oppressions can never happen but from those in high power: and therefore the persons who are made to suffer them in Bengal will have to contend with the power and treasures of the Company both abroad and at home. Besides, how few men who are dependent in the manner we have seen all must be who are under the power of the Company in Bengal, will dare to be instrumental, or assistant to the injured, in bringing to justice such oppressors as are sure of strong support? And how few will have the means, the application, the fortitude, or the perseverance requisite for the pursuit, through paths so very difficult and precarious, of that redress, which, when obtained, can hardly be hoped to prove in any degree adequate to the wrong suffered? From all which it must be evident that the appearance of a remedy, as held out to the oppressed in the acts of parliament now existing, is but shadowy and deceitful, even in the cases of European subjects: and if such are the evils to which Englishmen are exposed who go to reside in India, it may easily be imagined, from what has been already said, how much harder is the lot of the unhappy natives of those countries. Nevertheless they are a mild, civilized, and polite people, and every way deserving of the protection of the British laws; as it is upon their industry this nation must finally depend for whatever resources she may hereafter expect from those dominions.

Within the English settlement of Calcutta, the Members of the Board of Council, from acting at one and the same time in so many different capacities, have among the natives, who are in general ignorant of the English laws, the power of assuming that official character which best serves their purpose. Thus, whenever they choose it, they can, and do with great convenience, transfer the native complainant from the Counsellor to the Justice of Peace, from the Justice to the Zemindâr's Cutcherries, and from the Zemindâr to the Secret Committee, where each Member is bound to the other, under oaths of secrecy, not to divulge what passes. If the complaint be not totally quashed by these means, and those gentlemen are apprehensive that it may be revived within the settlement in some shape or other, through the assistance of some daring person,

person, they have this last resource, of transferring the complaint, under any pretence, from the Secret Committee to the Nabob, where they can do what they please with him: and this mode of proceeding has been actually practised.

By such means, civil justice is entirely eradicated, and the whole inland country, where neither the English nor the country laws or usages have any force, is actually in a state of the most deplorable anarchy, under the despotic sway of one, or at most a very few English gentlemen and their Banyans; and to such a pitch of wretchedness and servitude have the natives been reduced, that their women (a point in which they are as delicate and jealous as any nation on earth) have been frequently taken from them, without their daring or being able to complain, either from the power of the violator, or from their having no person to complain to, from whom they can hope for redress.

We come now to the exemplification of what we have advanced, by real facts; in which the writer will either confine himself to matters of which he himself hath perfect knowledge, and can even produce proof, or to such others as appear well vouched, by authentic documents exhibited in different parts of this work; and we will begin with the Mayor's Court.

In consequence of a most extraordinary oppression in the inland parts of the country, of which particular notice is taken in our 13th chapter, an Armenian merchant, named Parseek Arratoon, on the 15th September 1767, filed a bill in the Mayor's Court against the gomastahs or agents of Governor Harry Verelst and Francis Sykes, Esquires, for 60,432 current rupees, or about 7500 pounds sterling, principal amount of salt, said to have been forcibly taken out of the plaintiff's warehouses. The cause was brought to an issue; and in the month of August 1768, on a day appointed for the hearing, all the proceedings and depositions were read and fully considered; the demand of the plaintiff established to all appearance, and judgment upon the point of being pronounced, when the Mayor, while sitting in judgment, received a *private letter*\*, or note, sent from the Governor, to put a stop to the proceedings, because, as was alledged, he, the said Governor, was a party concerned in the cause, and was in expectation of settling matters by a private compromise. To the astonishment of the plaintiff's solicitor, who declared he knew of no compromise, and had received no instructions from his client

\* The writer of these sheets being an Alderman of the Court, and having been absent when this extraordinary transaction happened, as soon as he heard of it wrote to the Mayor upon the subject, desiring to have a sight of the letter sent by, or by the order of the Governor, then Harry Verelst, Esquire,

client upon this matter, the request contained in the letter or note was complied with, and a stop was at once put to the proceedings; the plaintiff, being left without any satisfaction.

After an instance of this sort, it may be thought needless to produce others of a less criminal nature. But it is notorious in Calcutta, that in cases wherein the said Governor and Council, or those of their connections have been any wise interested, private applications, by letter or otherwise, have been frequently received by the Court; who, setting aside the formalities of process as directed by the charter, have actually proceeded to hear and determine upon such private applications, particularly against the attornies or solicitors of the Court, who have found it a hazardous matter to undertake any suit in matters of arbitrary proceedings, wherein the Governor and Council have been in the least degree interested separately or collectively.

Upon the same principle of fear, or servility to the Governor and Council, the Court has frequently refused to grant copies of proceedings filed and entered on record in the Court, to persons interested in such proceedings, who required, and had a right to them; and the judges likewise have refused to accept of sufficient and unexceptionable bail, when it has been offered by a defendant for a bailable offence.

On other occasions, where a plaintiff, under the known displeasure of the Governor and Council, has brought his bill of complaint into Court against persons with whom the Governor and Council were materially interested in the event of the cause, the Court have officiously met, at their own mere motion, "*to consider and determine whether such bill of complaint should be answered, pleaded to, demurred to, or dismissed,*" long after such bill had been regularly filed and admitted by the said Court, and this merely to effect the dismissal of such bill, which hath afterwards followed; and the plaintiff has thereby been left remediless in matters of the greatest consequence.

Esquire, in consequence of which the proceedings had been stopped. After some days consideration, the Mayor wrote the following excuse, the original of which is now in the writer's possession.

" To William Bolts, Esquire.

" DEAR SIR,

" I should have sent you the note, as I promised, if I had found it; but having not met with it among my papers, convinces me that I must have destroyed it, with other papers that I deemed *useless*.

" I am, Sir, your most obedient servant,

" Calcutta, the 11th August 1768.

CORNELIUS GOODWIN."

After such dismissal, upon an application to the Court for copies, even the original bills and exhibits have been pretended to have been lost; when, on an examination before the Court, it has appeared on oath that they were carried to the Governor by an officer of the Court. The writer has authentic proofs of such proceedings in his possession.

However, the illegal proceedings of this Court are not confined to such matters only as the Governor and Council appear to be directly or indirectly concerned in; they are frequently as irregular in matters wherein they themselves are interested: but whatever remedies may be practicable to prevent the undue influence of the Governor and Council over this Court, there can be no effectual check to prevent this evil, as things are at present, but the consciences of the respective magistrates; who nevertheless, when they transgress from mere ignorance, are not, from their situation, so very blameable, being persons of mercantile professions, not bred up to the law, and who by the charter are obliged under a penalty, when elected by the Governor and Council, to accept of their offices, without even a recorder, who, were he a Barrister at law as in the corporations of England, might direct them to legal determinations in the execution of justice.

For facts relative to the proceedings of this Court, which are not fully exemplified in this place, not to swell this chapter to an enormous size, we beg leave to refer the reader to our Appendix, particularly to N° XXIV. page 38, the memorial of Mr. Thomas Hamilton, N° XXV. page 40, the answer of Cornelius Goodwin, Esquire, then late Mayor of Calcutta, (both addressed to the Mayor's Court;) N° XXVI. page 43, the memorial of Alexander Jephson, Esquire, to the Court of East India Directors, with the opinions of Sir William de Grey, Sir Fletcher Norton and Charles Sayer, Esquire, thereon; N° XXVII. page 55, the Case of Mr. Richard Whittall, with Mr. Dunning's opinion; and to N° XXVIII. page 73, the Memorial of Mr. Richard Whittall to the Court of East India Directors.

With respect to the facts relative to the proceedings of the Governor and Members of the Council in their multiform characters of Counsellors, Select Committee-men, Justices of Peace, Commissioners of Oyer and Terminer, Judges of Appeals, Makers and Unmakers of the Members of the Mayor's Court, Presidents of the Cutcherries, Zemindars, Collectors, Delegates and Representatives of the English East India Company, the MOGUL'S DEWANS, and Makers and Un-makers of the Mogul, as well as of the Company's Rent-gatherers, now called *the Nabobs of Bengal*, Merchants, or Sovereigns; all of which different characters

characters they can and do assume, as occasion requires: as it would in many cases be difficult to trace those gentlemen through their various metamorphoses, we shall briefly enumerate some principal transactions as they occur to us, without making any distinctions; only desiring the reader once more to observe, that it is not the *men*, but the *measures*, when they are bad, which we wish to expose, in order for procuring an effectual reformation.

A gentleman of the Council at Calcutta became indebted to one William Wilton, a sail-maker, for work done in the way of his profession, amounting to current rupees 75-9-7; for payment of which the sail-maker sent in his bill, with a receipt annexed. The Counsellor, who happened at the same time to be Zemindár also, alledged the charges in the bill were exorbitant and unreasonable, and would neither discharge or give up the bill; threatening the sail-maker, that he would get him turned out of the Company's service, or sent to Bencoolen \*, if he persisted in his demand. The sail-maker not intimidated, filed his bill in the Mayor's Court against the Counsellor, who, rather than expose the affair to a public discussion, more prudently agreed to satisfy the complainant, to the amount of his bill, with the costs of suit, by which it was consequently swelled. The complainant's solicitor or attorney at law (as they are called in Bengal) sent his Banyan, Radhoo Tagoor, a black merchant of Calcutta, to receive the amount of the bill, repeated times without success, till at last the said Radhoo Tagoor desired the Counsellor's Banyan to inform his master, that the amount of the bill was wanted, and if it was not paid, some bad consequences might ensue from the cause going on in the regular course of law, and the charges being consequently enhanced; which being told to the Counsellor and Zemindár, he grew angry, and ordered the merchant, Radhoo Tagoor, to be immediately seized by his peons, and carried to the Cutcherry; where he was, without any examination, enquiry, or form whatever, tied up, severely flogged, and beat on the head with his own slippers †, by order of the said Zemindár: who wrote a letter to the attorney at law upon the occasion, of which the following is an exact copy.

\* Bencoolen on the island of Sumatra, and Gombroon in Persia, have been long looked upon as places very unhealthy and fatal to the generality of European constitutions; and from some instances of persons in the Company's service being formerly sent thither from other settlements by Governors and Councils, as was suspected, to get rid of them, the talking of sending people to Bencoolen, or Gombroon, has in India a kind of proverbial meaning expressive of banishment.

† The being beat on the head with a slipper is, among the natives of India, considered to be a very ignominious punishment.

“ S I R,

“ I have ordered your demand to be complied with. It is so extravagant, that I intend laying it before the court. Your Banyan was so insolent as to tell me, that unless I discharged it directly you would increase your demand, for which insolence in him I have sent him to the Cutcherry, where he will meet his deserts.

“ Your most humble servant.

“ Calcutta, the 22d Feb. 1765.”

Upon a complaint lodged by a poor old woman against another in the same circumstances, before the Zemindár, wherein he has been embarrassed to decide which of the two was in the right, the writer has known the poor wretches ordered to fight, and made to decide the question by the exertion of their feeble limbs in battle.

A tradesman and inhabitant of Calcutta, named Gocul Sonar, complained of having been falsely imprisoned by one Nobekissen, then Banyan to the Governor of Calcutta; alledging, that during his confinement, under various false pretences, he and several of his family had been otherwise most grievously injured and oppressed. The tradesman preferred his complaint at the court of general quarter sessions, held at Calcutta, on the 4th March 1767, in a petition to the grand jury, but without any success: for it was remarkable, that the Chief Justice Harry Verelst, Esquire, then on the bench, getting the petition into his own hands from another Justice, to whom the foreman of the jury had delivered it, he immediately and suddenly called and dismissed the juries.

It was said, by way of excuse, that the complainant had not first regularly given in his information upon oath before a Justice of the Peace, and that the affair ought to be referred, for trial, to the court of Zemindáry.

The injured man however chose rather to depend upon the English laws for redress of his injuries, and therefore, to obviate the objection of want of formality, he afterwards formally applied to a Justice of Peace, who happened at that time to be the Zemindár also. It was with some difficulty, and not without great altercation, that the Justice consented to receive the information of the complainant, but at length he promised to receive it on the following day; which was accordingly delivered in upon oath, as follows.

“ The



“ The Information of Gocul Sonar, Inhabitant of Calcutta,

“ SHEWETH,

“ That on or about the 1st of Phalagoon (or 10th February 1767) one  
 “ Ram Sonar and Ram Bania with a Hircarah \* (or messenger) belong-  
 “ ing to Nobekissen Munshy, came to the house of him the informant,  
 “ and did then and there, with force, unlawfully and injuriously enter  
 “ into his inward Zenána (or womens) apartments, saying, they had  
 “ orders from Nobekissen Munshy to take away the informant’s sister,  
 “ for his the said Nobekissen’s use. That on the informant’s resisting,  
 “ and calling the *Dowháy* †, they abused him and his mother in the most  
 “ opprobrious terms, and did otherwise ill-treat them: upon which,  
 “ the rest of the informant’s family being forced to fly, they unlawfully  
 “ and by force did then and there seize the informant’s mother, and  
 “ against the peace of our Lord the King, did forcibly carry her away  
 “ to Nobekissen.

“ That on the next day the said Ram Sonar and Ram Bania came  
 “ with another Hircarah of Nobekissen’s, and did forcibly seize and  
 “ carry away the informant and his brother, named Kish, into Nobe-  
 “ kissen’s presence, who ordered both to be confined. Upon this we  
 “ offered security, which he refused. We then offered that one of us  
 “ should remain in prison and the other be at liberty: this also he,  
 “ Nobekissen, refused; but gave orders to his peons, who carried us to  
 “ prison in the Collector’s Cutcherry, where we were both confined in  
 “ the place where felons and thieves are, with our feet in the stocks, for  
 “ two days and three nights: victuals being forbid to be given to us,  
 “ and none of our people permitted to come near us. And during  
 “ our confinement, Ram Sonar, with one of Nobekissen’s house, for-  
 “ cibly entered the informant’s house, and carried away his sister to  
 “ Nobekissen’s house; where he, Nobekissen, kept her confined one  
 “ night, and violated her. Afterwards he, Nobekissen, sent for us  
 “ from the Cutcherry to his house, and from thence ordered us to be  
 “ carried and confined where the Company’s Hircarabs stay, opposite

\* Hircarah means properly a spy. In India it is by no means an employ held in the despicable light in which it is thought of in Europe. All great men have a number of Hircarabs in their train; and in the courts of Hindostán, the Prince’s Head-hircarah is a principal officer, and frequently employed upon business of the greatest trust, secrecy, and honour.

† The *Dowháy* is an exclamation used by the common people in Hindostán, upon occasion of any sudden act of violence, much in the same manner as in Spain and Portugal, they cry, *Aquí del Rey*. Thus the poor people in Bengal, personifying the Company, frequently call out, *Dowháy Company Sáheb*, where there are none found to attend to their cries.

“ to the Governor’s house ; where we were confined one night and one  
 “ half day, and were afterwards again carried to Nobekissen’s, and  
 “ again returned to the same place of the Hircârahs, from whence we  
 “ were at last released.

“ That at the general quarter sessions of this town of Calcutta, on  
 “ the 4th of March 1767, this informant did represent his grievances  
 “ in a petition to the grand jury, which he delivered to the foreman,  
 “ who delivered it to the clerk of the peace, who delivered it to the  
 “ Judges on the bench : but that no enquiry was made into the case of  
 “ the informant, the grand jury being dismissed immediately after the  
 “ delivery of his petition.

“ This informant farther saith, that on the 17th March, at about ten  
 “ o’clock at night, four peons, or pykes, named Sheik Jaffer, Sheik  
 “ Rheyroo, Kifno and Ram, came to the informant’s house with a peon,  
 “ named Mowdy, who then and there seized the informant’s brother,  
 “ named Kifno Sonar, and carried him to Nobekissen’s house, without any  
 “ legal warrant or authority : nor can the informant conceive any rea-  
 “ son, unless it was to intimidate him from seeking redress. Those of  
 “ our cast (or tribe) as customary, refuse to associate with us : and for-  
 “ asmuch as the said informant conceives the above related proceedings  
 “ are unlawful and injurious, and are wrongs which tend to the great  
 “ damage of him, the informant, and are against the peace of our  
 “ Lord the King, his crown and dignity ; and whereas the informant  
 “ is otherwise remediless, he therefore humbly prays, that a warrant  
 “ be granted to seize and bind over Nobekissen, and every other per-  
 “ son concerned in these oppressions, to the next quarter sessions.

(Signed) “ GOCUL SONAR.”

“ Countersigned. Sworn to before me, Charles Ffloyer, one of  
 “ his Majesty’s Justices of the Peace for the town of Calcutta, &c. this  
 “ 20th day of May 1767.

“ CHARLES FFLOYER.”

This information was supported by another deposition of Kifno Sonar, taken at the same time upon oath, and subscribed to in like manner, by the before said Justice of Peace, whereupon the complainant was happy in the thoughts that he should of course obtain justice for the injuries he complained of, according to the established laws of England. But upon finding that no warrant was issued, or bail required from the accused party, nor any other steps taken towards having the

affair tried at the following sessions, the tradesman waited upon Mr. Ffloyer, who, to his astonishment, threatened him with the Chawbuck \*, and told him he had no business with the quarter sessions, but that his complaint should be tried at the Zemindár's court.

Thus, in order to evade a fair enquiry, to serve a private purpose hereafter to be taken notice of, was this affair transferred from Mr. Ffloyer †, Justice of Peace, to Mr. Ffloyer Zemindár, contrary to the express directions of the charter of justice, and against the will of the complainant, who was afterwards totally precluded from justice, and even from the knowledge of what was done respecting his complaint, having never been any further called upon, and never having been able, notwithstanding repeated applications for that purpose, to obtain copies of any proceedings whatever.

Another extraordinary case, was of Ramnaut, a black merchant, house-holder and inhabitant of Calcutta, who had formerly served as Banyan to Mr. George Gray, a gentleman then of the Council at Calcutta. It has been already said, that the Secret, or Select Committee of Calcutta, in consequence of extraordinary powers from the Court of Directors, assumed jurisdiction to themselves in even such as they pretended were criminal matters. In consequence of which it has been common for them, of their own mere motion, to seize and imprison the pretended *Nabób's* officers, as well as the principal merchants of the country,

\* The instrument for flogging used at the Cutcherries.

† In order to save appearances for this extraordinary proceeding, at least in the eyes of the Court of East India Directors, some months after the transaction, Mr. Ffloyer entered a minute upon the consultations, or proceedings of the Council at Calcutta, so called, wherein he endeavours to account for it in the words following.

" In the month of                      last, when I was the acting Justice and Zemindár, the President delivered to me a complaint which had been preferred to the grand jury at the quarter sessions, by one Gocul Sossar, against Nobekissen, and desired me to enquire into it as Zemindár. I did so. But on attesting the depositions which had been taken by me, *I signed them as Justice of the Peace, instead of Zemindár. I was not sensible of the mistake until the next morning, when I acquainted the President with it, and as a confirmation thereof referred him to the officers of the Cutcherry, who were the only persons made use of by me, during the whole course of the enquiry. My report to the President, which has been laid before this Board, and the records of the Court of Zemindáry, will, I hope, sufficiently evince, that I acted therein, in the judicial capacity of Zemindár only, and not as one of his Majesty's Justices of the Peace.*"

If any thing more be requisite to expose the injustice of this proceeding, or the futility of the excuse, which Mr. Ffloyer doubtless thought sufficient for the Court of Directors, the reader is desired to remark, from the complainant's deposition, that the information of the 4th March 1767, which was the paper said to be delivered to Mr. Ffloyer by Governor Verelst, could have no connection with the information in question, of the 20th May 1767: this last, as signed by Mr. Ffloyer, even referring to the former one, as having been laid aside without cause, which was the reason of the tradesman's last application personally to Mr. Ffloyer, as one of his Majesty's Justices of the Peace, in order to have his complaint heard at the next quarter sessions.

by military force, within the English settlement; also to withdraw the Company's protection, and to pronounce sentence of banishment against persons unaccused and unheard, in cases wherein the King in England could nor do either one or the other.

This Secret Committee or the President, with the Committee's sanction, had, among others, suddenly seized the before-mentioned Ramnaut, some time in the month of September 1765, and closely confined him under a military guard for many months. The pretences then made use of by the committee for this extraordinary act were, that he had been guilty of great extortions and malpractices in the Maldah country, (where Mr. Gray had resided as Chief of the Company's factory) and it would appear the Committee officiously undertook the examination of these matters in *Calcutta*, to save the *Nabób* that trouble. But the real causes as assigned by others \*, with the greatest appearance of truth, were in order to extort evidence from him against his said master, with whom the Committee were then engaged in very rancorous party-disputes. Upon what foundation he was confined, what hardships he and his family suffered, or what else passed during this his first confinement by the Committee, is foreign to our present purpose to relate; suffice it to say, that after the purposes for which he was confined had been served, he obtained his release, and for a long time continued in *Calcutta* unmolested, with the permission of appearing in the presence of the Governor to make his *Salaam* †, among other merchants. Thus far was necessary for the illustration of the fact before us.

This man complained, that during his said confinement he had been plundered by one of his countrymen of property to a considerable amount, and he wanted the permission of the Governor and Council to apply to the English laws for redress, not choosing to do it, for fear of giving offence ‡, without first obtaining the permission of the Board.

The following, being an exact copy of his address to the Council, will best speak for itself.

4

\* See AUTHENTIC PAPERS concerning India Affairs, pages 189, 190, 193, &c.

† According to the Asiatic style, he who after any disgrace is permitted to appear in the Huzzoor Walla, or "High Presence," to make the obeisance called a *Salaam*, is esteemed to be forgiven, and restored to favour.

‡ The offending party was the Governor's Banyan, and also Banyan to the Secret Committee.

“ To the Honourable Harry Verelst, Esquire, President, &c. Gentle-  
 “ men of the Council at Fort-William.

“ Honourable SIR and SIRs,

“ I take the liberty of presenting you with this humble address for  
 “ two purposes, both which I hope will be esteemed to merit the confi-  
 “ deration of your Honourable Board. One is in order to put a stop  
 “ to the corrupt practices of a man who has been intrusted with the  
 “ management of transactions of the highest nature, and of the greatest  
 “ importance to the affairs of the Honourable Company; and the other  
 “ is in order to obtain justice and restitution for the oppression and  
 “ damage done me in particular.

“ The grievance complained of is, my having to the amount of  
 “ thirty-six thousand rupees extorsively exacted and taken from me by  
 “ Nobekissen Munshy, during my late confinement, *ex colore officii*,  
 “ availing himself of my ignorance of the English laws and customs.

“ He used to visit me in my confinement, and there, by threats and  
 “ under various scandalous, villanous and false pretences, did demand  
 “ and receive from me,

“ In the month of Ográhn, a ring, value - - rupees 14,200

“ Pous, - - 500 gold móhurs

“ Chóytrö - 400 ditto

“ Bhádrö - 500 ditto

---

1,400 value . - - 20,000

---

“ With two pieces of Bootedárs, and sundry other

“ things, given by his order to his people, value - 2,000

---

“ Rupees \* 36,200.

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“ The pretences he made use of were, that he would preserve me,  
 “ or get me excused from taking my oath upon the Ganges water be-  
 “ fore the Select Committee, that I might have the greater latitude for  
 “ what I was to declare verbally; that he would procure my release-  
 “ ment; that he would give me a † Khelaat, and send me away again ‡ Dewán

\* About 4,500 l.

† An honorary dress, given to persons upon their admission or entrance upon any new trust or employment.

‡ Properly it is the officer of the Dewannee. See Chap. IV. But now every English gentleman's Head Banyan is, by courtesy, called his Dewán.

“ to Maldah; and that he would save my life, which I was to be deprived of, when he found it necessary to threaten me.

“ I acknowledge my ignorance of the salutary laws of Great Britain, in suffering myself to be thus imposed upon, as well as my folly in having even supposed him to be of such consequence to the Honourable the Select Committee. Yet, as the well-being of the Honourable Company's affairs in a great measure depends upon the impartiality and integrity of those whose office does any ways concern the administration and execution of justice, or the common good of the subject, I humbly hope still to obtain redress.

“ And as I have heard much of the justice of the English laws, and am informed, that the Honourable the Court of Directors have been pleased to order, that “ If a native chuses the decision of his grievances by English laws, those, and those only must be pursued, and pursued according to the directions in the charter.” I am very desirous of laying my case before the juries at the next sessions, where only, I am informed, it is cognizable.

“ But lest the preferring in that manner my complaint against him, whilst in office, should be of any detriment to the affairs of the Honourable Company under his management, I hereby first humbly beg the permission of the Honourable Board.

“ And as the grievances I complain of tend manifestly to the evil example of all others the Company's Banyans in office, as well as to the great oppression and detriment of the native inhabitants in general, I humbly hope, Honourable Sir and Sirs, that you will please to grant me the permission required, that I may be enabled to obtain redress and the restitution of my property.

“ I am, with the greatest respect, &c. &c.

(Signed) “ R A M N A U T D A S S.”

“ Fort William, the 10th April 1767.”

This letter he sent to the Governor, then Harry Verelst, Esq; who, on the 15th April, in the evening, summoned Ramnaut before him, and having questioned him in his chamber, in a particular manner, regarding the circumstances of his letter, dismissed him with assurances, that he should have the strictest justice done him.

Upon Ramnaut's going out of the Governor's chamber, and coming into the hall, he was suddenly met by a party of seapoys with fixed bayonets,

bayonets, commanded by two black officers, named Sontose and Dinmahomed, who in that instant \* seized him; and, not permitting him to ride in his palanqueen, marched him on foot through the town, from the Governor's to his own house, where they kept him in strict confinement, with guards upon his doors, and even in his innermost apartments; not permitting any person but his own menial servants to have access to him.

He was, on a subsequent day, again marched under the same guard to the house of Governor Verelst; who, notwithstanding Ramnaut's letter was addressed to the Governor and Council, thought proper to refer it to the *Select and Secret Committee*, who had some private sittings upon the affair; in order, as was usual among them on such occasions, to record something after their own way upon the face of their proceedings, which should have the farcical appearance of justice, to amuse the Directors. Ramnaut was, therefore, several times conducted, under his guards, before the Secret Committee, where they did what they pleased; and when they had done with him, ordered him back to confinement in his own house, where centinels were placed at every door and window. He remained in that situation until Sunday the 3d May 1767; on the evening of which day he sent to inform the writer, he had just received private intelligence, that orders had been received from Governor Verelst, then with THE NABÔB at Murshedabad, to Mr. Cartier, then at Calcutta, to deliver him, Ramnaut, up to the Nabôb for confinement; which matter, notwithstanding other pretences, was a principal object of the Governor's visit to the city. He farther acquainted the writer, he had intelligence, that it was intended to send him away that evening; and begged he would come to his house, to help him to secure his effects. Accordingly the writer went to his house, towards night, and saw him in strict confinement, under charge of a party of soldiers, commanded by a black officer, named Rambuksh, greatly terrified, and in tears. Upon the writer's expostulating with him, and asking him the reason of his dejection, he answered, that he was under strong apprehensions of being murdered, when out of the

\* In a Secret Committee, held at Calcutta the 18th April 1767, at which were present, Harry Verelst, Esq; PRESIDENT, with Messrs. John Cartier, Claud Russell and Alexander Campbell, Governor Verelst entered a minute on those Secret Proceedings; wherein he acquainted his brother Committee-men, that he had so seized and confined Ramnaut, "because he had reason to believe he was the instrument of a concealed faction against Nobokissen," (who was, as before observed, his Banyan, as well as Banyan to the Committee) "and therefore he had ordered him under a guard, to prevent his being tampered with, and instructed in his evidence, until he could be examined by the Committee." In vain do Englishmen exclaim against the proceedings of a Bastile, or an Inquisition, while practices of this nature are suffered to pass in a British Settlement unpunished.

districts of Calcutta. The writer comforted him as well as he could, by assuring him, that no Englishman would be concerned in so horrid an act, or permit *the Nabôb, or his officers*, to perpetrate it : whereupon he exclaimed against the English laws, and bewailed the misfortunes which he said his mistaken notions of their justice had drawn upon him.

This discourse was scarcely ended, when there came another party of armed soldiers, under command of another black officer, named Muraad Khawn, with three servants of the Governor, named Peer Mahomed, Dost Mahomed, and Gordal Sing; saying, they had the Governor's orders to carry him, Ramnaut, away to THE NABÔB. This was like the arrival of a death-warrant to this distressed man. He changed colour, and trembling begged for time to arrange his affairs and secure his papers, which only brought upon him severe abuse and ill treatment. When the writer remonstrated with the seapoys thereon, telling them, he was sure such rigour was not used by order of the Governor, they even presented to him the butt-ends of their musquets: and in this situation they hastily obliged Ramnaut, without any preparation for his journey, or arrangement of his affairs, to quit his house; pulling him into the street, where they bound his hands, and then hauled him through the town to a boat that had been prepared for carrying him away.

By letters, afterwards received from him, it appeared, that he was actually transferred to THE NABÔB at Murshedabâd, for confinement, during which time his family, at Maldah, was put to the greatest hardships and distresses: and, after about seventeen months imprisonment, the writer received a letter from him, in the Bengal language, of which the following is a translation.

“ On the 28th of the month Serrabon (or 9th August) 1768, the Nabôb Mahomed Reza Khawn delivered me over to Baboo \* Oñg-noosing, who demanded from me 60,000 rupees; viz.

“ On account Mr. † Verelst's salt - - 48,000

“ Ditto ----- boats - - 7,000

“ Ditto wages to the boat people - - - 5,000

“ Current rupees - - 60,000

\* An officer of THE NABÔB's, who superintended the business of the Cutcheries.

† This was part of the private salt-concerns, taken notice of in our XIIIth Chapter.



" I thereupon told him, that no part of the demand was just, except for the salt ; on which account I had already paid Mr. Verelst, by the hands of Mr. Richard Barwell, thirty-one thousand two hundred Sunott rupees ;--that the balance which might be due, after crediting me for sundry disputed articles, as might be adjusted, I was ready to pay. That the amount of the boats was not due from me, for I never received them. On hearing this, Baboo Ongnoosing became very angry, and abused me very much ; sending for the † Chora and Chorry, and saying, he would tie me up to the § Seepiyah, and flog the money out of me. At last, he told me to send for the papers or letters regarding the boats and the money paid, at the same time ordering me to pay, on account of the balance of the salt-money, eleven thousand two hundred sicca rupees, on the spot. After this, he ordered the seapoys to take me away, and, by the use of force, to see that the money was paid on that day.

" I was in consequence thereof very ill treated, and on the next morning was again sent for ; when he told me, I could only live by paying the money. I was afterwards carried to the \* Khalsa Cutcherry, by order of the Nabôb Mahomed Reza Khawn ; who himself calling me before him, ordered me to pay the said money. I represented, that I had no objection to pay the amount of the salt ; but hoped I should be thereupon released from confinement, and have a short time allowed me. Upon which the said Nabôb became very angry ; said, he would have the money at any rate ; and immediately sent for the Seepiyah and Chawbuck. There was then present Baboo Ongnoosing and Rankiffore Sene, the Governor's Banyan's † Vakeel, with whom the Nabôb consulted a little, and then ordered the seapoys to take me back to my prison ; telling me, if I did not pay the money within one month, he himself would pay it, and hang me for it. In this affair, whatever the Governor's Banyan writes, that is and will be the law ; and I am afraid there is a design upon my life. Do you, therefore, I pray, for God's sake, make application on my behalf ; and become answerable for the payment of the money, if I can be released from my confinement on those terms. Dated the 8th of the month Bhâdrô, or 21st August 1768."

† Two species of whips used in the Cutcheries.

§ An engine used in the Cutcheries, consisting of three bamboes, erected in a triangle, with a top hanging from the centre, to tie and suspend the culprit during flagellation.

\* The Cutcherry where the Nabôb sits in person, when he chooses to transact business himself.

† A Chargé des affaires, which every great man (such as a Governor's Banyan necessarily is) keeps at court.

At the same time this miserable victim wrote a letter to the Governor of Calcutta, of which letter, as delivered into the Council, the following, being an exact literal translation, may also serve as a specimen of the Bengal epistolary style.

“ To the Great and Greatest of Governors.

“ *Siri, 'Siri, Ram \**!

“ This petition of me your slave †, Ramnaut Dás, who most respectfully and reverently addresses you, and prays for the increase of your riches and prosperity, represents, that I, your petitioner, only to obtain justice for myself, made application at your feet. From the ill fortune stamp on my forehead ‡, I did not obtain justice; but was imprisoned and sent here; where I am yet confined, having been a prisoner, on and off, for near three years. There is nothing wanting to the completion of my misery; and my family are distressed even for victuals. I am now extremely hard pressed for the salt-money. Agreeably to order I formerly paid, on account of that demand, thirty-one thousand two hundred Sonaut rupees to Mr. Barwell, and the remainder which may be justly due I never objected to the payment of. I therefore humbly petition, that you will order the release of your slave, and I will take care and pay the money. I am a forlorn man. I have no body capable of affording me protection. You are God's deputy, and the giver of the laws. Be pleased to save the life of your forlorn slave, by ordering his release. This is the request he humbly lays at your feet. Dated the 8th of the month Bhádrô, or the 21st August 1768.”

The pretence again made use of on the Records of the Secret Committee for this second imprisonment of Ramnaut, and sending him to the Nabób, was, “ That he might be delivered up to the *country government*” (which had not been done before) “ to be made accountable for the numberless extortions and villanies he had been guilty of at Mal-dah, and other places within *the government's jurisdiction*.” Nevertheless, no such extortions or villanies were ever legally proved against

\* This is one of their many invocations of God, set at the beginning of all writings.

† In the Bengal original, the word Sáheb, Master or Lord, is substituted for this pronoun, as “ the Lord's slave”—“ the Lord's increase of riches.”

‡ The Gentoos, who are great predestinarians, believe that every man's fortune is written on his forehead from the moment of his birth.

him; nor, to the time of his writing the foregoing letters, had any person ever confronted him with any complaints before *the Nabôb*, nor had *the Nabôb* made any other demands on him than those mentioned in his before-recited letters.

Whatever might have been the man's crimes, nothing can vindicate the mode of proceeding against him; nor can any story, however plausible or well contrived, convince the public, that it was just to deny this merchant the means of obtaining justice, and to transfer his complaints from the fair and open trial of juries, to the clandestine proceedings of a junto of three or four, bound to each other by oaths of secrecy, who at the same time were, in effect, his original and present accusers and oppressors, and who could, as we may now justly conclude, have no other views in this clandestine work than to keep from the light their other dark proceedings, which they were doubtless apprehensive a public trial of the complaints against Nobekissen, *the Banyan to the SELECT and SECRET COMMITTEE*, might serve effectually to disclose. This also was the real motive that we before promised to enlarge upon, and which occasioned a suppression of the complaint of Gocul Sonar\*.

One more extraordinary instance we will give of the convenient uses which the Nabôbs are made of by the Governor and Council in Calcutta, under whose direction alone they act, whenever it is necessary for any private purpose to oppress individuals; and this is of certain Armenian merchants of established credit and reputation, who, like many hundreds of others, had been long established in India, and were at this time peaceably engaged in carrying on their own mercantile business in the dominions bordering on Bengal, which the Company had taken from, and afterwards restored to the Nabôb Sujah al Dowlah. The business they carried on greatly interfering with the private views of the Governor and some of the Council at Calcutta, and their connections, it was thought necessary to have them removed. Not contented with their being suddenly seized by the Company's troops and confined, without ever being accused, confronted, or heard upon any pretended crime or misbehaviour whatever in the dominions of Sujah al Dowlah, the Governor and Council had them brought down into their own provinces, where they could more conveniently manage them, and where

\* The East India Directors have been long possessed of all the papers relative to the proceedings concerning Gocul and Ramnaut. If they think those proceedings, disguised as the writer knows them to be, will stand the test of inspection, it is hoped they will, for the honour of their servants, lay them before the public; or otherwise, that they will do it for the honour of national justice, in exposing the parties who have offended, either by unjustly promoting or suppressing such complaints; or at least for their own vindication, in publishing to the world the just resentment they may have shewn against the principal delinquents in such infamous transactions.

they were kept imprisoned for some months, to the utter ruin of themselves and families. After they had been long enough imprisoned to serve the purposes intended, they were set at liberty, but without being acquainted with any reason for such imprisonment: and, despairing of ever obtaining justice in Bengal, two of them came over in quest of it to England; where, flattering themselves that the Court of Directors would naturally discountenance such oppression, they presented a very respectful petition to the Court; which, as it will give the best state of their case, we will present the reader with a copy of, as follows.

“ To the HONOURABLE the COURT OF DIRECTORS, for the Affairs of  
 “ The Honourable the UNITED COMPANY of MERCHANTS of ENG-  
 “ LAND, trading to the EAST INDIES.

“ The Petition of *Gregore Cojamaul* and *Johannes Padre Rafael*,  
 “ Armenian Merchants, late of Bengal,

“ HUMBLY SHEWETH,

“ That your petitioners, who are natives of Isphahan in Persia, have  
 “ for many years resided in India, particularly in the provinces an-  
 “ nexed to Bengal, and in the dominions of the different princes bor-  
 “ dering upon those provinces, where they have carried on, for them-  
 “ selves and others, a very extensive trade, always with the permission  
 “ and approbation of the different princes in whose dominions your  
 “ petitioners resided; always paying the duties exacted by such princes,  
 “ and always chearfully submitting themselves to the laws of such  
 “ countries.

“ That it has ever been the custom, from time immemorial, for  
 “ Greeks, Georgians, Turks, Persians, Tartars, Cashmeerians, Ar-  
 “ menians and other nations, to resort to and traffic in India, where  
 “ the country Nabôbs, sensible of the benefits arising from the resort of  
 “ foreign merchants and the increase of trade, have at all times encour-  
 “ aged such persons to the utmost of their power.

“ That besides their own traffic, your petitioners likewise, for about  
 “ seven years last past, have been honoured with business upon com-  
 “ mission from sundry English Gentlemen, several of whom are now in  
 “ England.

“ That your petitioners in such transactions have ever acted to the  
 “ satisfaction of their constituents, and with credit to themselves; hav-  
 “ ing ever studiously avoided interfering in any other than their own  
 “ mercantile affairs; and they have ever been well-wishers to the Ho-  
 “ nourable

“ honourable English East India Company, having never, in the most  
“ distant manner, acted contrary to the interests of that Company.

“ That your petitioners were lately resident in the dominions of the  
“ Nabób Sujah al Dowlah, and the Rājah Bulwant Sing, who, to the  
“ great surprize of your petitioners, received orders from your Presi-  
“ dency of Calcutta, or Fort William, to banish your petitioners out of  
“ their countries.

“ That those princes communicated the orders which they had re-  
“ ceived from your said Presidency to your petitioners, who had the  
“ honour to be favoured with the friendship of the said princes; who  
“ proposed various expedients to screen your petitioners from violence,  
“ as your petitioners can shew by authentic documents in their hands,  
“ to the satisfaction of this Honourable Court.

“ That the friendship of those princes having induced them to evade  
“ the immediate execution of such tyrannical orders, for which they  
“ knew no cause, your President Mr. Verelst wrote again, in repeated  
“ letters, and in the most peremptory terms, to have your petitioners  
“ seized, imprisoned and sent down into the Company’s provinces to  
“ Patna and Murshedabād; and for fear of farther delays or evasions,  
“ orders were given to the immediate servants of the English Com-  
“ pany, who were employed to seize and imprison your petitioners, as  
“ they are likewise ready to prove to the satisfaction of this Honourable  
“ Court, by authentic documents and writings under the hands and  
“ seals of the said Company’s servants.

“ That accordingly your petitioners were seized in the most sudden,  
“ cruel and inhuman manner, and brought down to the Company’s  
“ factories at Patna and Murshedabād, being obliged to quit instantly  
“ all they were possessed of in that country, to a very considerable  
“ amount, together with their books and papers, and the effects of  
“ many other persons with which they were entrusted, and for which  
“ they are accountable.

“ That during the confinement of your petitioners, their relations  
“ did deliver to your President, Mr. Harry Verelst, sundry petitions, par-  
“ ticularly one of the 15th May 1768, and one of the 13th June 1768,  
“ (which your petitioners imagine stand recorded upon your Calcutta  
“ consultations) requesting the releasement of your petitioners, and of-  
“ fering to give any such security for money, or the appearance of  
“ your petitioners, as might appear reasonable to your said President  
“ and Council.

“ That the said petitions were paid no regard to, but your peti-  
“ tioners were continued under confinement; your petitioner Gregore  
“ Cojamaul

“ Cojamaul having been confined from the 14th March 1768 to the  
 “ 23d May 1768, being two months and nine days; and your peti-  
 “ tioner Johannes Padre Rafael, from the 27th March 1768 to the  
 “ 28th August 1768, being five months; during which time they were  
 “ treated worse than convicted felons; Cogee Rafael being first im-  
 “ prisoned in a horse-stable, and afterwards both kept in close confine-  
 “ ment under a strong guard of the Company’s seapoys, with fixed  
 “ bayonets, who never suffered your petitioners to stir out of their  
 “ sight.

“ That being at last released from confinement, your petitioners and  
 “ their friends waited upon your President, Mr. Harry Verelst, not  
 “ only to be acquainted what were the causes of his displeasure, and  
 “ why they had been confined, but requesting leave to return up the  
 “ country to secure their effects and outstanding concerns, thereby to  
 “ preserve themselves and families from ruin; but, to the misfortune  
 “ of your petitioners, all their applications were paid no regard to,  
 “ nor could they ever obtain any satisfaction, or be acquainted why  
 “ they had been thus capriciously imprisoned for so long a time, and  
 “ then set at liberty, without being accused of even a fictitious ‘misde-  
 “ meanour?

“ That, to the great astonishment of your petitioners, upon their ar-  
 “ rival in Calcutta, they were informed, that your Governor, Mr.  
 “ Harry Verelst, and his Council had been pleased to publish an<sup>d</sup> edict,  
 “ under date of the 18th May 1768, prohibiting all Armenians, Por-  
 “ tugueze and their descendants, *from residing or trading in any part*  
 “ *OUT of the provinces of Bengal, Bahár and Orissa; or attempting to*  
 “ *transport any merchandize beyond those provinces, under penalty of the*  
 “ *utmost severe corporal punishment, and the confiscation of such merchan-*  
 “ *dize; an attested notorial copy of which most extraordinary public*  
 “ *edict\** is in the hands of your petitioners, for the inspection of this  
 “ Honourable Court.

“ That your petitioners were hereby not only deprived, among  
 “ others, of those rights which were due to them,<sup>d</sup> as men, by the law  
 “ of nations, but were deprived of that freedom of trade which their  
 “ nation had always enjoyed in the times of the worst of the ancient  
 “ BLACK NABOBs, and in particular were also deprived of all hopes of  
 “ ever recovering those effects from which they had been thus forcibly  
 “ and capriciously taken.

\* See this Edict, in the Appendix, N<sup>o</sup> XXIX. page 8a.

“ That your petitioners, who have been therefore necessitated at a great expence to come to England for justice, now appeal to the equity of this Honourable Court; requesting, that they will either indemnify your petitioners for the great losses they sustain, or that they will be pleased to order home, to answer for themselves, the President Mr. Verelst, and such of the Company’s servants as to this Honourable Court may appear to have been the acting persons in the oppressions complained of;

“ And your petitioners, as in duty bound,  
“ shall ever pray.

“ London, the 12th Sep-

“ tember 1769.” (Signed) “ GREGORE COJAMAUL.

“ JOHANNES PADRE RAFAEL.”

It was natural for these injured Armenian merchants, who then knew but little of the state of the Company and the party-views of its Directors, to imagine that the court would have shewn some readiness, if not a serious disposition to redress their wrongs. But, to their shame be it spoken! the petition is said to have been thrown aside, and to have lain by, unanswered and disregarded to this day; while these foreign gentlemen, as is said, have been left to seek redress at law, exactly in the distressful situation already described; exposed to the necessity of sending commissions to India for evidence, and of waiting for the precarious arrival of their oppressors from India; some of whom may perhaps shamelessly attempt to screen themselves by the practised and now usual subterfuge, of pretending the matter complained of was transacted by THE NABÔB, in the extra-judicial districts of the charter.

Many other instances might be given, to prove the badness of the government, police, and administration of justice in those distant dominions; some of which, though there looked upon as trifles\*, would in this country be considered as matters of the most serious consequence. Indeed to enumerate all the facts of that nature which have come within the writer’s knowledge, would be to fill a large folio volume. It

\* Such as a master’s sending, upon his simple note (or *Chit*, as there called) a native servant to the Zemindâr, to receive a flagellation at the Cutcherry; or the collecting, by a military force, two or three dozen of Englishmen, inhabitants of the settlement, and confining them, in a dungeon in the New Fort, for a day or two. This the writer himself knows to have been done, on a simple verbal order, from a late Right Honourable Governor. The occasion was this.—Complaints were made, that many Europeans kept public houses, for the retailing of a spirituous liquor called *Parlar Arrack*,

It would moreover be a task shocking to humanity ; and as it is presumed sufficient have already been produced to convince the reader of the truth of our assertions upon the subject-matter of this chapter, we shall hasten to a conclusion of it. Should the curious reader wish to be farther informed, relative to other facts than what are here proved respecting our assertions, we beg leave to refer him to our 14th chapter, on Oppressions and Monopolies in general, and to the Papers in our Appendix, N<sup>o</sup> XXX, XXXI, XXXII, and XXXIII, pages 81 to 121, &c. as well as to every other part of this work, where something will in all places be found to corroborate what is here advanced.

Upon the whole of what has been said, it surely will be allowed, that in the situation in which matters now stand, justice can never prevail against the will of power in India ; and, as things are, can be rarely worth pursuing from thence to England, even in the very few cases where it is practicable, at least in a judicial way : so that, without an effectual reformation here, or till the laws are made to operate with sufficient efficacy in those regions, all people must live there unprotected by laws, and always liable to be deprived of their rights even as men, from the laws of nature, as well as of those blessings that are peculiar to the laws of England ; which, if duly enforced from hence by necessary checks and controul, and impartially executed there, by independent, capable, and disinterested judges, would prove a lasting security to the interest of the Company ; and, with rendering the possession of those dominions the envy and admiration of all neighbouring states, would likewise bid fairest for establishing the permanency of those resources which this nation has a right to expect from subjected provinces so extensive and wealthy.

to the great debauchery of the soldiery. They were immediately ordered to be sought after, and carried to the New Fort ; and the execution of this commission was left to the black seapoys, who were dispatched for that purpose. As it was left to the discretion of those ignorant people, many innocent tradesmen were involved with others who really did sell this liquor, and all were promiscuously conducted to prison in this wanton manner : for which kinds of violences, there is no legal redress or satisfaction to be obtained, however innocent of guilt the injured parties may be proved.



## CHAP. X.

Of the different COVENANTS and LICENCES under which  
BRITISH SUBJECTS resort to the EAST INDIES for the Pur-  
pose of RESIDING THERE.

IT is well known, by the charters and acts of parliament confirming them, which are at present in force, and were originally made with a view only of securing to the Company the exclusive right of trade *to and from* the East Indies, that no British subjects dare now venture even to breathe the air of India, without having first obtained the permission of the Company.

British subjects resorting to the East Indies for the purpose of residing there, go out either in a military or civil capacity: the former, in different stations, from the common soldier and cadet to the general officer; and the latter, as covenanted-servants, free merchants, or free mariners.

In the regular course of the Company's business, as established after the union of the two Companies, it has been usual, except on some very particular occasions, for the civil servants to go out as WRITERS, not under, and generally at the age of sixteen years, upon their own petition, or request; and to rise by rotation or seniority in India, to the stations of Factors, junior and senior Servants, Counsellors and Governors. On such petition being considered and granted by the Board of Directors, they tender to the young candidates a long printed indenture to sign, as drawn up by their own lawyers, wherein, among many other articles, the youth is made to sign to certain agreements and conditions between the Company and himself, as follow.

“ That upon the special request and intreaty of him, A. B. the Com-  
pany have received him into their service, as their writer (factor,  
“ or otherwise) to serve them for the space of            years \*, to be  
“ employed on their business in any place within their limits, between  
“ the Cape of Good Hope and the Streights of Magellan, and engage  
“ to pay him for the same the wages of            pounds per annum †,  
“ And he, A. B. engages, that until the full expiration of the said  
“            years, he will serve them honestly and diligently; observe  
“ and fulfill all orders of the Company, or their representatives in India,

\* The usual term upon the original indenture for all writers is five years.

† Usually fifteen pounds per annum for a writer.

“ resisting all those who shall endeavour to break such orders or instructions ; will not do, or suffer to be done any thing to the Company’s prejudice ; give the Directors the earliest intelligence of all deceits, wrongs, abuses and breaches of orders, and that he will keep and conceal the Company’s secrets \*. *And he, A. B. also covenants and agrees, that before he leaves the Company’s settlements he will faithfully pay † and discharge all such sums as he may be justly indebted to any of the black merchants, or natives, or to any other foreigners or merchants, not being the subjects of his Majesty.* And upon condition of his keeping and performing his covenants, the Company agree, that for the said term of                      years, he, the said A. B. shall be freely permitted to trade and traffic for his own account only, from port to port in India, or elsewhere within the limits aforesaid, (but not to or from any place without the same) without any interruption or hindrance from them the said Company, or their successors ; so as the said trade be subject to such rules and limitations as the Court of Directors shall, from time to time, direct or appoint, and be not to the hurt of the Company, or their commerce. And farther, in case he, the said A. B. shall waste, or make use of the Company’s treasure, become indebted to the Company, or in any wise make default in performance of his covenants, in such case he shall not be intitled to any of the advantages intended him, but on the contrary, it shall then be lawful for the Company, or their Governor and Council, to seize and detain the effects of him, A. B. until satisfaction be made. *And forasmuch as grievous complaints, as is said, have been made to the Company, that several of their Governors, Counsellors, Factors, and other Servants have committed very heinous and grievous offences in their factories, and other places within their said limits of trade, by unjustly menacing, imprisoning, assaulting, abusing and evil treating the natives and black merchants, and by means of such violences, abuses and injuries, have extorted and forced great sums of money and*

\* It is something remarkable, that this covenanted obligation to *keep and conceal the Company’s secrets*, is without limit, or the qualifying explanatory word *lawful* ; contrary, as we apprehend, to general practice in England, where the covenantee binds himself only to keep his master’s lawful secrets, nor can legally bind himself to do more. But now, with regard to East India affairs, we see all terms and conditions, as well as all practice, must be absolute, as these kinds of obligations are made : and yet it is possible for the India Company to have secrets, which it would be a very great crime for any British subject to conceal.

† It is worthy of note that though the Company hereby make their servants engage not to quit their settlements without first discharging all debts due from them to the natives, yet they now make no scruple of suddenly forcing persons away to Europe, without troubling themselves about the justice due to the natives ; because they have nothing to fear from the *present Nabs*, in consequence of any complaints which those natives can make.

*“ other valuable effects from such injured persons, who, by reason of the  
 “ great distance from this kingdom, and the wholesome laws thereof, and  
 “ by the reason that the said Company have not been enabled to obtain and  
 “ render satisfaction for such injuries, have been remediless: Therefore it  
 “ is also covenanted, between the said A. B. and the said United Com-  
 “ pany, that in case the said A. B. shall be accused of any such violences,  
 “ it shall be lawful for such injured persons to send over complaints and  
 “ attestations of such misdemeanors, in writing, to the Court of Directors,  
 “ to whom it shall be lawful to enquire into the truth of such complaints,  
 “ by all such ways and means as they shall think just and equitable, and  
 “ to judge, determine and award satisfaction and reparation for the same,  
 “ to be made to the said Company for the benefit of such injured persons,  
 “ by the said A. B. who agrees faithfully to pay the sums so awarded.  
 “ And forasmuch as it frequently happens, as is said, that the servants  
 “ of the Company, by a combination amongst themselves, adjust and  
 “ pass their own accounts with the Company, in order to preclude any  
 “ review, alteration, or contest of the same, it is, therefore, further  
 “ agreed, that all and every account of the said A. B. with the said  
 “ Company, so stated, adjusted, balanced, or signed in the East In-  
 “ dies, shall at all times be taken and esteemed to be open accounts,  
 “ formed and prepared only for the inspection, correction, or appro-  
 “ bation of the Company, and shall not in any article bind or conclude  
 “ them. And the said A. B. covenants also, that he will not be con-  
 “ cerned, directly or indirectly, in any sort of commerce from Europe  
 “ to the East Indies, or from the East Indies to Europe, on his own  
 “ account, under penalty of paying double the value of all goods so  
 “ traded for, of forfeiting all benefits and advantages intended him  
 “ by and from the said Company, and of ceasing to be their servant, or  
 “ agent. And, in order to a discovery of, and a satisfaction for such  
 “ illicit trade, the said A. B. consents, that it shall be lawful for the  
 “ Company to file any bill or bills of discovery against him in the  
 “ Chancery, or Exchequer, to which he will not demur, or plead in  
 “ bar of discovery, nor alledge any matter whatsoever, whereby to pre-  
 “ vent, or preclude the Company from the relief sought by such bill;  
 “ and in consideration of the discovery, or disclosure arising from a full  
 “ and true answer of the said A. B. the Company agree to be satisfied  
 “ for the damages, on account of the said illicit trade, upon receiving  
 “ the sum of fifty pounds for every one hundred pounds of the goods  
 “ so traded for, in lieu of the before said double value of the same. And  
 “ lastly, it is provided, that if the said A. B. continue longer than the  
 “ said term of                      years in the service of the Company, such  
 “ continuance*

“ continuance shall be upon the same terms and conditions as are specified in the said indenture ; save and except, that if the said A. B. shall rise to any superior station, he shall receive such wages as are usually paid to officers or servants in the like advanced stations.”

To one part of these indentures given to A. B. the Company's Secretary sets their common seal ; and the other part, left with the Company, is executed in form, under the hand and seal of the young tyro, who also gives security in the sum of five hundred pounds for the performance of his part of the covenants, and trusts to the honour of the Company for the performance of theirs.

The same covenants have been usually entered into by those who went out in any superior station, varied only with regard to the period of servitude (if there is any difference therein) a *larger* salary, and giving security \* for a larger sum.

The indentures or covenants into which it has been usual for those to enter who go out under the denomination of **FREE MERCHANTS**, are in substance as follows.

“ That A. B. having upon his own special request obtained permission of the Court of Directors of the said United Company, to go to \_\_\_\_\_, there to dwell and inhabit, together with free liberty to use and exercise any trade and commerce in the way of a merchant, or otherwise, in any commodities whatsoever, to and from any ports and places in the said East Indies, or elsewhere, within the limits of the Company's charter, from the Cape of Good Hope to the Straights of Magellan, but not to or from any place without the said limits ; it is covenanted and agreed between the said A. B. and the said Company, that he the said A. B. as also his wife, if he shall have any, together with such children and servants as have the liberty of the said Company for that purpose, shall, during the time of their respective abodes in the East Indies, reside and dwell at \_\_\_\_\_ as inhabitants thereof ; and *shall not remove to or reside in any other place or part of the East Indies, save at \_\_\_\_\_ and that he A. B. if he shall so long live, shall and will reside and be at one or other of the said places for the term of \_\_\_\_\_ years, before his return to Great Bri-*

* The writer gives security for the performance of his covenants in the sum of	—	L. 500
Factor	— — — — —	1000
Junior Merchant	— — — — —	2000
Senior Merchant	— — — — —	3000
Counsellor	— — — — —	4000
Governor	— — — — —	10000

" tain, unless he shall obtain liberty to return sooner, by writing from the  
 " Court of Directors---and that he will not receive any consignments  
 " from Great Britain, except only for diamonds and diamond board,  
 " or such other commodities as shall be licensed by the Company, he  
 " A. B. paying to the Company's Governor one per cent. upon the  
 " value of such consignments. And also, that neither he A. B. nor his  
 " wife, children, or servants, by his privity, shall, directly nor indirect-  
 " ly, write, or cause to be written over to Europe, any thing or matter  
 " relating to the Company's trade in India or Europe, except to the Court  
 " of Directors; nor be concerned in any trade or merchandize from  
 " Europe to India, or from India to Europe, other than such as be  
 " licensed by the said Company. And also, that he A. B. will give a  
 " faithful account of his trade from port to port to the Company's Go-  
 " vernor and Council, at the place where he shall reside, in order for  
 " the same to be entered in a registry at the factory. And that he will  
 " pay all such duties and customs as shall be appointed by the Com-  
 " pany, or their representatives, at the ports or places where such  
 " trade shall be carried on; and will be subject to such other regula-  
 " tions as they shall think reasonable, for the better government of  
 " their trade in, to, and from the East Indies. And A. B. further  
 " agrees, that whenever the Company, or their Court of Directors, shall  
 " apprehend his residence or trade, within the limits aforesaid, to be in-  
 " convenient to them, and shall thereupon order him to remove to Great  
 " Britain, he the said A. B. shall and will, within one year after notice,  
 " transport himself, family, and effects to Great Britain, in the ships  
 " employed by the said Company, and no other: which effects shall be  
 " returned in diamonds, or diamond board, or such other commodities  
 " as shall from time to time be licensed, or allowed by the Company,  
 " or else in bills of exchange drawn on the said Court of Directors,  
 " and not otherwise. And the said Company do covenant, promise, and  
 " agree to and with the said A. B. that upon his observing and perform-  
 " ing the covenants and agreements, in the said indenture expressed, faith-  
 " fully and truly, he the said A. B. SHALL ENJOY THE COMPANY'S  
 " PROTECTION WITHIN THE LIMITS OF THEIR CHARTER. And  
 " the said A. B. further engages, that he will not trade, correspond,  
 " or deal with any person or persons who do or shall trade within those  
 " limits by or under, or by virtue of, any foreign commission, licence,  
 " or authority whatsoever; nor with any person or persons with whom  
 " he shall be forbid to trade; nor will be aiding, abetting, or assisting  
 " towards the carrying on of any illegal, unlicensed, or clandestine  
 " trade whatever, nor wittingly suffer any damage or interruption to  
 " be

“ be done or given to the affairs or commerce of the said Company ;  
 “ but will do all in his power to make discovery of, and to prevent,  
 “ the same. And in case the said A. B. shall fail in the performance of  
 “ these covenants, then by the first opportunity offering, after orders  
 “ received for that purpose, he the said A. B. shall transport himself,  
 “ family, and effects to Great Britain, in manner as above-mentioned.  
 “ And in order to a discovery of, and satisfaction for, any illicit trade,  
 “ it is agreed (in the same manner as in the writer’s covenant before  
 “ specified) that it shall be lawful for the Company to file a bill in the  
 “ court of Chancery or Exchequer, the Company agreeing, in conse-  
 “ quence of any disclosure or discovery arising from the said A. B.’s  
 “ answer to such bill, to be satisfied with fifty pounds for every hun-  
 “ dred pounds value of the goods so traded for, together with the pro-  
 “ duce of such illicit trade.” These indentures are also executed and  
 interchanged in the manner and under the condition already described  
 in the case of writers.

FREE MARINERS, who have been considered as a class of less conse-  
 quence, have usually been permitted to go out upon only giving security  
 not to become chargeable to the Company. As the bond usually given  
 is but short, and will best explain the nature of their engagements, we  
 here subjoin it at length ; viz.

“ KNOW ALL MEN by these presents, that we A. B. C. D. and E. F.  
 “ are jointly and severally held and firmly bound unto the United Com-  
 “ pany of Merchants of England trading to the East Indies in the sum  
 “ of FIVE HUNDRED POUNDS of lawful money of Great Britain; to be  
 “ paid unto the said United Company, or their certain attorney, suc-  
 “ cessors, or assigns : to which payment, well and truly to be made, we  
 “ and each of us jointly and severally bind and oblige ourselves, our  
 “ heirs, executors, and administrators, firmly by these presents. Sealed  
 “ with our seals. Dated the            day of            in the            year of the  
 “ reign of our Sovereign Lord            by the Grace of God, of Great  
 “ Britain, France, and Ireland, King, Defender of the Faith, and so  
 “ forth ; and in the year of our Lord one thousand seven hundred  
 “ and

“ WHEREAS the Court of Directors of the above-named United Com-  
 “ pany of Merchants of England trading to the East Indies have, at  
 “ the special request and desire of C. D. and E. F. granted leave to the  
 “ said A. B. to reside in the East Indies, under the protection of the  
 “ said United Company, he the said A. B. giving security to indemnify  
 “ the said United Company, and the Governors and Council of their  
 “ settlements

“ settlements and factories in the East Indies, from and against all  
 “ charges and disbursements whatsoever, which the said United Com-  
 “ pany, or their said Governors and Council, shall or may sustain, or  
 “ be put unto, for the support or maintenance of the said A. B.

“ AND WHEREAS the above bounden C. D. and E. F. at the request  
 “ of the said A. B. agreed to become bound for the purposes afore-  
 “ said, in manner herein after-mentioned.

“ NOW THE CONDITION of this obligation is such, that if the said  
 “ A. B. C. D. and E. F. or either of them, their or either of their heirs,  
 “ executors, or administrators, do and shall, from time to time, and  
 “ at all times hereafter, well and sufficiently defend, save harmless, and  
 “ keep indemnified, the said United Company of Merchants trading to  
 “ the East Indies, and their successors, and the Governors and Coun-  
 “ cils of their several settlements and factories in the East Indies, from  
 “ and against all charges and disbursements whatsoever, which they the  
 “ said United Company, or their successors, or their said Governors  
 “ and Councils, or any of them, shall or may suffer, sustain, or be any  
 “ ways put unto, for the support or maintenance of the said A. B.  
 “ during his continuance in the East Indies aforesaid, then this obliga-  
 “ tion to be void. But when and so often as default shall be made in  
 “ the premises, to be and remain in full force and virtue.

“ Sealed and delivered (being first duly stamped)

“ in the presence of .”

Until the year 1770, such have been the covenants and licences under which British subjects have resorted to the East Indies, for the purpose of residing there as merchants or traders. About that time there had been many complaints brought home against the Company, and their servants, for injuries sustained by persons in India, in consequence of the power assumed by them of seizing, imprisoning, and sending their fellow subjects to England by force. To those oppressions many of the Directors themselves had been accessory, by the very injudicious orders they had from time to time sent to their servants in India, and they were therefore justly apprehensive that some evil consequence might accrue therefrom to themselves. In order, therefore, in some measure to screen themselves from the odium and penalties they had reason to dread, it was determined to apply for the farther sanction of the legislature for this unconstitutional power; and upon a motion of the Chairman of the Board of Directors, then a Member of the House, on the 26th March 1770, it was ordered in Parliament, “ That leave be given to  
 “ bring

“ bring in a bill,” (which was at first speciously) “ called a bill for compelling persons dismissed the service of the East India Company, to depart from the East Indies; and for better regulating the servants of the said Company; and for other purposes,” of which notice will more particularly be taken in our following chapter.

The Company not succeeding in obtaining the new powers they aimed at by the bill so introduced, had recourse to the covenants now before us, which they new-modelled, adding thereto such clauses as were thought necessary for supplying the want of those powers for which they had in vain applied to parliament.

Instead of a licence for an unlimited time upon a simple security-bond, not to become chargeable to the Company, the FREE MARI-NER's indentures were also drawn out in form, whereby he is now licensed only for a limited time, which is revocable, and he and his family made liable to be sent home by force at the pleasure of the Company, as may be seen more fully in the copy of the said indenture, in the *Appendix*, N° XXXIV. page 126.

In the new indentures for the CIVIL SERVANTS, all the clauses and stipulations of the old ones, which were favourable to the Company, are reserved, and the new and additional clauses are in substance as follows.

“ That in case the said A. B. shall make default in any of the covenants specified; or shall embezzle any of the Company's money or effects, or be guilty of any breach of trust, or be concerned in buying or selling any fire-arms or warlike-stores to the natives, without licence of the Company; or shall, without such licence, hold correspondence with any Prince, Nabôb, or country power in India, or any of their ministers; or shall supply, lend, or procure for the use of any foreign Company, or persons trading under their authority, any money at Respondentia, or any other security, loan, or engagement whatsoever, that then, in each and every of the said cases, it shall be lawful for the Company or their representatives, upon conviction thereof, to suspend or wholly dismiss the said A. B. from the Company's service, the said A. B. having first had notice given him of such his offence, and a reasonable time allowed him to make his defence. And it is farther covenanted and agreed, that in case of such dismissal, or in case the said A. B. shall choose, during the continuance of his indentures, to quit or resign the Company's service, and such resignation shall be accepted and agreed to by the Company or their representatives, that, in either of the said cases of

“ dismissal



“ dismissal or resignation, it shall not be lawful for the said A. B. to  
 “ enter into any new commercial concerns ; but nevertheless he, the  
 “ said A. B. shall in either of the said cases have liberty and authority  
 “ to sell his merchandize and effects on hand, and to collect in his out-  
 “ standing debts. And the said A. B. is also made to engage, that he  
 “ shall and will, within one year after such dismissal or resignation,  
 “ transport himself and family to Great Britain in one of the Company’s  
 “ ships : and in case the said A. B. shall make default in this last-men-  
 “ tioned covenant, the said A. B. doth also thereby consent and agree,  
 “ that immediately after such default, *it shall be lawful for the said*  
 “ *Company, or their representatives, to cause the said A. B. to be appre-*  
 “ *hended and detained, and to put him and his family on board any of the*  
 “ *Company’s ships, for the purpose of being transported to Great Britain.*  
 “ And further, in case of such apprehending, putting on board and  
 “ transporting the said A. B. and his family in manner aforesaid, the  
 “ said A. B. doth covenant, promise and agree to and with the said  
 “ Company, that he, the said A. B. his executors or administrators,  
 “ *shall not, nor will sue or prosecute the said Company or their Court of*  
 “ *Directors, or any of their Presidents or Councils, commanders or officers*  
 “ *of any such ship, or any other person employed in any of the matters*  
 “ *aforesaid, in or by any action, suit, or other prosecution civil or cri-*  
 “ *minal for the same ; and in case any such action, suit, or prosecu-*  
 “ *tion shall be commenced for any of the matters aforesaid, the said*  
 “ *A. B. doth covenant and agree, that the general issue may be pleaded,*  
 “ *and that the present indenture or any other special matter may be given*  
 “ *in evidence by any of the defendants.* And it is further and lastly  
 “ provided and agreed, that if the said A. B. shall continue in the said  
 “ Company’s service after the expiration of the said term of  
 “ years, that such continuance shall be upon the same terms as are in  
 “ the said indenture before made and agreed upon.”

The clauses added to the FREE MERCHANT’S new indentures are the same as above, with respect to the power given the Company to seize and transport him to England, and his agreeing not to prosecute, save and except, that in the Free Merchant’s indentures it is simply stipulated, as before, that whenever the Company or their President and Council shall see cause for the Free Merchant to leave India, they shall have the said power as above, of sending him and his family to Great Britain, after giving him twelve months notice.

Exclusive of the before-mentioned indentures or covenants which the Company’s civil servants engage in, there is another, restricting the receipt

ceipt of presents in money, jewels, lands, or otherwise, in compliance with a resolution of a General Court of Proprietors, for which we beg leave to refer the reader to N° XXXV. in the Appendix, page 128.

Gentlemen in the military service of the Company have, till the present new-fashioned indentures were settled, been used to go out without signing any covenants or agreements, as upon arrival in India they become liable to the law martial, agreeably to the act of the 27th of George II. and the articles of war established in consequence thereof; since when they also are obliged to enter into covenants. The poor men who go out as common soldiers have not yet been deemed of consequence sufficient to require covenants; for being generally persons from whose friends the Company have little to fear, they are treated with less ceremony, and even in this metropolis, to the great shame of the nation, have been, in a most infamous manner\*, sometimes forced to go to India whether they would or not.

The new indentures drawn up for the MILITARY GENTLEMEN in the said service (as may be seen at large in our Appendix, N° XXXVI. page 130) respect chiefly the receipt of presents, and the Company's power of sending them home to Great Britain. In case any military gentleman shall be dismissed the service, by sentence of a Court-martial or by a resolution of the Governor and Council of the settlement where he serves, or if he shall otherwise legally quit the said Company's service, in any or either of the said cases, it is agreed to be lawful for the Company, upon *ten days notice, after the expiration of six months* from such dismissal or resignation, to apprehend, detain, and by force transport him to Great Britain, for which it shall not be lawful for such military gentleman or his heirs to sue or prosecute; as is agreed in the before-mentioned cases of the Civil Servants, Free Merchants, and Free Mariners.

It may be remarked, that in the indentures of Writers there are many obligations to which they are properly enough bound, and among others the following; "To resist those who do ill, to do none themselves, and to inform the Directors of the evil done by others." Had the last of these duties been seriously encouraged and attended to for the general advantage, by the late and present Directors, without suffering those party-connections which have of late distracted the Company's affairs, to suppress those acts of their trust which must have been natu-

\* This alludes to the well-known practice, which seems to have been imported from India, of keeping lock-up houses for recruiting the forces of the Company; where their miserable fellow-subjects were kept close confined, without communication with their friends, till the Company's ships were ready, when they were secretly conveyed on board.

rally dictated by reason and conscience, it is probable immense fortunes might not have been so rapidly or frequently made in India; but the situation of the Company's affairs in Asia would have been far more prosperous than at present, and neither attachments or persecutions would probably have been directed to those courses which we have seen them follow.

There is likewise mention made, both in the old and new covenants, "That grievous complaints had been made of governors, counsellors, and other servants of the Company having been guilty of evil treating and unjustly imprisoning the natives and black merchants, and by violence extorting great sums of money from them, who, by reason of their being at such a distance from this kingdom and the whole some laws thereof, have been left remediless, and the Company had not been able to obtain satisfaction for them;" and on this account the Company covenant with their servants, "that it shall be lawful for such injured persons to send over their complaints and attestations to the Court of Directors, to whom it shall be lawful to enquire into the truth of such complaints, and to judge, determine and award satisfaction to the injured, by all such ways and means as THEY shall THINK just and equitable."

This clause may be said to contain a directorial confession, that the iniquities it mentions have been long practised in India. Yet, notwithstanding such precautions, the public have certainly cause to think, that the evils therein complained of have, of late years, gone on increasing a thousand-fold. The insertion of this clause therefore never has been, nor probably ever will be of any avail, either for the prevention or detection of those abuses, though it may be ungenerous to suppose it was not formerly intended so to be; notwithstanding we have not of late years heard of any rapacious governors or oppressors being seriously called to account for such offences.

It must therefore be thought for the honour of the Court of Directors, who have for so long a time taken this department of justice into their own hands, to satisfy the nation what encouragements have been really given to the oppressed and complaining natives of Bengal; more especially since the whole inland trade and the revenues have been taken entirely under the direction of them and their chief servants in those dominions, which we know have been, and still continue in the utmost distress. But should such information not be given, the public will have reason to conclude, that such clauses are as unmeaning as they are unbinding and illegal.

But

But it is a question by no means improper to ask, how it became necessary for the aggrieved people in India to apply to a self-erected court of judges in England, for relief by decisions which in their natures must be arbitrary, when there are, or ought to be, courts legally established on the spot fully competent for those and all other good purposes; to the justice of which the natives, if they please, are to be permitted to appeal? The Directors surely have the least pretence of any men to object to the courts of India; which, if corrupted, it is their duty to get reformed; but which in fact cannot be corrupted, except by or with the connivance of themselves or their immediate substitutes.

It is therefore to be feared, upon a due examination into this matter, it will be found that the aim of the Directors, by taking upon themselves the power given by the clause under consideration, could be no other than to add to that dangerous despotism in India which they have long ago assumed; and that, while they have at least seemed to discountenance some enormities that have appeared notoriously unjustifiable, they have resolutely been winking very hard at, if not screening and encouraging the acts of those very servants who have been most suspected, nay accused of persecutions, oppressions and gross breaches of trust.

The conditions imposed on the Free Merchant, merely in consideration of his licence, and "*the enjoyment of THE COMPANY'S PROTECTION within the limits of their charter,*" are in many points unreasonably severe; but particularly in his being made to bind himself to continuance for a specified term of years at the place appointed for his residence, however unpromising of advantage, or even prejudicial it may prove to him. There, at all events, according to the covenants, he must remain his time out, unless he can obtain a written permission for quitting it; although he is made to bind himself to leave India, with his family, on a year's notice being given him for so doing, even on no better a plea than that his abode there is INCONVENIENT to the Company. He likewise binds himself to deal with no one with whom he is forbid to trade; which is a prohibition, that if made general against any man in India, must be the most barbarous as well as most effectual of all means that could be devised to ruin him. And it is well known, that innocent and worthy men have been destined to ruin by those who have governed there.

But the truth is, with regard to Free Merchants, that, from the conditions imposed on them in England, and the great restraints that have been laid on their dealings in India, it is become such a privilege and

protection as are worth no wife and good man's soliciting, as from the present unfortunate condition of most of those now in India, and particularly in Bengal, is evident; and will become daily more apparent, till the happy establishment of more salutary regulations shall take place, for the safety of those possessions, and to the honour and advantage of this kingdom.

It is likewise to be observed, that when the licensed emigrants want to remit their fortunes to England, they must invest their effects in the manner only which the covenants prescribe, which is by remittances in diamonds or diamond board, or by bills of exchange upon the Company; both of which are sometimes impossible, the Governor of Calcutta engrossing the diamonds, and even the Directors sometimes having forbid their Governors and Councils to take money into their treasury for bills on them in Europe.

If therefore the covenants here described be legal, it is evident, that every British subject now emigrating to India is legally exposed to unavoidable ruin, at the option of the Directors or their substitutes, and actually binds himself to what is little less than downright slavery; for, considering the whole tenor of these covenants, the candidate for Asia does in fact agree with the Company, that whenever it is convenient to them, they shall have the privilege of robbing \* or depriving him of his property, imprisoning him, taking him from his family, and banishing him from one side of the globe to the other; to all which he will quietly submit, and neither he nor his heirs shall ever prosecute the Company, or their agents, for any loss or damages consequent of such transactions! But however conformable this may be to the *present* laws of England, with respect to persons of age; surely, with regard to the Writers and Cadets, at the age of sixteen years, it may be justly said, that the Directors themselves are guilty of seducing minors, or of imposing upon them such agreements to laws of their own making as are calculated, at a future period, to deprive those young persons of all benefit and protection from the very laws of their country. Think, Britons, who complain of the rapacities of India, what can be expected from those who are trained up from youth to have no conscience of their own! or what must prove the consequences to countries that are without restrictive or protecting laws, and that alike without mercy or forbearance are governed and plundered!

\* Whatever distinctions some men may affect to make, every honest man will find it difficult, as to the consequences of the act, to distinguish between the thief who steals his property from him, and the ruffian who, in such a situation, forces him from his property.

## C H A P. XI.

ON the assumed RIGHT of the EAST INDIA COMPANY to SEIZE their FELLOW SUBJECTS in INDIA, and send them by force Prisoners to ENGLAND; on their abuses of POWER in so doing, and on the evil effects thereof.

THE absolute prohibitions of British subjects from going to India, except with licence of the East India Company, now subsisting, and even the arbitrary restrictions and treatment to which those are subjected who obtain such licence, are no less contrary to the spirit and nature of the English constitution, than they are violations of the natural and social rights of mankind.

The exclusive right of trade to and from India, if legally to be given to any body of merchants, was all that could be granted with any colour of justice, even on the appearance of its being exercised to great national utility. But that a sovereign of this kingdom can by any charter, however confirmed, transfer a power to one part of his subjects to imprison, banish and ruin another at their pleasure, either for convenience or from wanton malice or revenge, must be as repugnant to the justice and constitution as it is contrary to the interests of this country.

For the right information of the public on such interesting matters, we will here produce certain cases thereon, which the East India Directors have at different times, for their own information, laid before learned council; with the opinions that were returned them by the Honourable William Murray, now Lord Mansfield, the Honourable Charles Yorke, late Attorney General, John Browning and Charles Sayer Esquires.

## CASE the First.

9 and 10 William, cap. 44. "Reference being had to the acts of parliament  
 3 George I. - 21. cited in the margin, THE EAST INDIA COMPANY de-  
 7 ditto - - 21. sire to be advised,  
 9 ditto - - 26.  
 3 George II. - 14.

QUESTION. "WHETHER they have any, and what power, over the subjects of England in general, or over their own servants in particular, both or either of

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of them residing in the East Indies? WHETHER the Company can order such persons to leave India and return to GREAT BRITAIN; and, in case of refusal, can the Company forcibly put such persons on board their ships, and bring them to Europe? And, WHETHER the Company can any wise, and how, prohibit any English subject residing in India from trading within the Company's limits without their licence? And in case any such persons should trade in India without such licence, have the Company any, and what remedy to prevent the same, or to punish them for so doing; and in what manner can they do so, and can they withdraw the licence of trading which they have already granted to any of their own servants or others? And in case any such persons should trade after such licence is withdrawn, are they liable to any and what penalty, or can the Company order them to Europe?"

ANSWER by Mr. Murray. "The Company may seize any British subjects who trade, or are found within the Company's limits in India, without authority from the Company; and bring them over to England to be prosecuted. The power the Company has over their own servants seems, to me, not so much to depend upon the acts referred to, as upon the charters and bye-laws of the Company. If the licences are granted during the pleasure of the Company, or during the person's continuance in their service, I think they may be withdrawn, and afterwards the person will be liable to all the penalties for trading without a licence, and may be seized and brought over; but if the licences are for a time certain, or indefinite, and understood to be as long as the person licensed has a mind to trade, I do not see how the Company can withdraw them.

(Signed) WILLIAM MURRAY."

31st January 1756.

## CASE the Second.

5 Sept 10th Wm. III.  
East India Company's  
charter granted in con-  
sequence of the act of  
9 and 10 Wm. III. and  
44-

“ And we do by these presents, for us, our heirs  
“ and successors, strictly charge, command, and pro-  
“ hibit all the subjects of us, our heirs and successors,  
“ of what degree or quality soever they be, that none  
“ of them, directly or indirectly, visit, haunt, fre-  
“ quent, or trade, traffic, or adventure into or from  
“ any the said East Indies, or other the parts afore-  
“ said, contrary to the true meaning of the said act,  
“ under the penalties therein contained, and upon  
“ pain of incurring our highest displeasure, excepting  
“ the said Company and such others as may lawfully  
“ go and trade to the East Indies and other the parts  
“ aforesaid by virtue of the said act, or of our royal  
“ charter or charters pursuant thereunto, and excepting  
“ their factors, agents, and servants respectively, who  
“ shall be employed according to the true meaning of  
“ the said act.”

By 3 Geo. I. c. 17. sect. 1. Persons repairing to the East Indies contrary to law  
are punishable: and

sect. 2. The Company may arrest such persons and send  
them to England.

7 Geo. I. c. 27. sect. 1. If any of his Majesty's subjects shall repair to the  
East Indies contrary to law, the Attorney General, or  
Company may file informations in any of the Courts at  
Westminster against the offenders; and

sect. 3. Every subject who shall go to the East Indies con-  
trary to law, shall be deemed to have traded there.

9 Geo. I. c. 26. sect. 6. If any of his Majesty's subjects (other than such as  
are lawfully authorized) shall go to or be found in the  
East Indies, the persons so offending are declared to  
be guilty of a high crime and misdemeanor, and may  
be prosecuted in any of the Courts at Westminster;  
and, being convicted, shall be liable to such corporal  
punishment, imprisonment, or fine, as the Court shall  
think fit. And

sect. 7. Persons so offending may be seized and brought to  
England: and any justice may commit them to the  
county-gaol, till security be given to appear in such  
Court where a prosecution shall be commenced, and



not to depart the kingdom without leave of such Court.

8th Jan. 16 Geo. II. His Majesty, upon the surrender of a charter of the

13th Geo. I. granted to the East India Company certain courts of justice, called the MAYOR'S COURT, at their settlements of Fort St. George, Bombay, and Fort William at Calcutta, in Bengal, for hearing and determining all civil actions and pleas arising within their several jurisdictions.

It happens that several persons, privately and without any licence from the Company, have from time to time gone from England to the East Indies, and have fixed themselves at some of the Company's settlements, and carry on considerable trade in the East Indies for their own private advantage.

This the Company has connived at, and permitted such persons to remain in the East Indies, so long as they did not interfere with the Company's trade or affairs. But *when they have acted to the Company's prejudice, the Company have given directions to the Governors at their several settlements to send such persons to England.*

The Governors make a difficulty in executing of such orders, under apprehensions they may, at their own return to England, be liable to actions for damages at the suit of such persons; and that, in some cases, it is not in their power to comply with the Company's orders: and they give the following instances; viz.

A person is ordered by the Company to be sent to England. This person is a great trader in the East Indies; is considerably indebted to several persons at the settlement where he happens to be resident, and has also considerable effects in the hands of his correspondents in different parts of India.

By such person's being sent to England, in consequence of the Company's orders, his effects are embezzled, or sold greatly under value, his creditors in India lose their debts, and his effects in the hands of his correspondents are in a great measure lost, and the person himself ruined. And yet, if any of those reasons prevail, all the acts of parliament made to prevent subjects going to, or residing in India without the Company's licence, are rendered ineffectual.

QUESTION. WHETHER, notwithstanding these objections, the Company may safely order persons to be sent to England, who have repaid to and resided in India without their licence; and will the Company's Governors or Agents in India, by obeying such orders, be liable to an action at the suit of the person sent home, if such person should

should make it appear he has thereby sustained great damage in his fortune?"

ANSWER by *Mr. Yorke*. "I am of opinion, that if a person has resided for a considerable time in the Company's settlements, traded openly, been conversant with their governors, officers and agents, and amenable to their courts, such person will be considered as having had a licence in substance, though not in form, by reason of the notice which the Company must be presumed to have of his residence, and their acquiescing without objection. That acquiescence would be sufficient to excuse him from the penalties of the acts of parliament. It seems scarce advisable to exercise the authority of sending home persons who have gone to India without licence, unless it be recently after their arrival."

ANSWER by *Mr. Browning*. "Though the Company have an undoubted right of arresting any of his Majesty's subjects who shall repair to India without their licence, I apprehend this power ought to be exercised recently upon such person's arriving in India, or trading there; and that the Company's connivance at any such person's residing in their settlements in India and trading there, for any considerable time, will be considered as a tacit or implied licence so to do: and the seizing of any person who has been thus permitted to reside and trade in India for any considerable time, by which he must necessarily have contracted debts in trade, and have effects in the hands of or demands upon other traders there, would have the appearance of great hardship, and, as I apprehend, would subject the person who should seize him to actions, and raise no small clamour against the Company."

#### CASE the Third.

"A person is ordered to be sent to England who owes money to several persons at the settlement where he is resident, and perhaps is unwilling to return. His creditor, either of his own accord or by contrivance with such person, enters an action in the MAYOR'S COURT for the recovery of his debt, and makes an affidavit, that such person was going to England: upon this an arrest-warrant issues from the MAYOR'S COURT, and the person is apprehended, and either held to bail or committed to prison for want of bail."

QUESTION. "What power have the Company in such case over the person so arrested and held to bail, or committed to prison, the Com-

pany's Governor and Council having no power or controul over the proceedings of the MAYOR'S COURT, and what is to be done in such case?"

ANSWER by *Mr. Yorke*. "Till the suit instituted is at an end, I think it would not be prudent for the Company to interpose. If it appeared to be fictitious and colourable, contrived only on purpose to detain the party in India, I am of opinion, that the Company might have redress in *their own courts*, upon applying and making the truth appear by their proper officer."

ANSWER by *Mr. Browning*. "The taking a person under the circumstances above-mentioned out of the hands of a court of justice would, in my opinion, be still more improper and unjustifiable."

#### CASE the Fourth.

"All persons in the Company's service in India are sent to, and continue and trade there by the Company's licence and permission, and are under particular covenants with the Company, according to their several stations.

Besides the Company's covenanted servants, there are several persons, who from time to time apply to and obtain the Company's leave and permission to go and reside in the East Indies, for the benefit of carrying on of trade in those parts; and these persons are not at all in the Company's service, but are called Free Merchants.

Upon this occasion, certain covenants are entered into between such Free Merchant and the Company, containing the place he shall reside at, and the merchandize he shall trade in, or rather what commodities he shall not trade in: besides a variety of regulations for his conduct and behaviour. And, among other things, every such Free Merchant covenants,

"That whenever the said United Company, or their Court of Directors, shall apprehend the said A. B. his residence or trade in the said East Indies, or elsewhere within the limits aforesaid, inconvenient to them, and shall thereupon order him the said A. B. to remove to GREAT BRITAIN, he the said A. B. will, within one year after notice, transport himself, his family and effects to GREAT BRITAIN, in the ships employed by the Court of Directors aforesaid, and no others; which effects shall be returned in diamonds or diamond-board, or such other commodities as shall from time to time be licensed or allowed by the said Court of Directors, and not otherwise."

“It is doubted whether any of the Company’s ~~covenant-servants~~ and free merchants, under any of the acts of parliament before stated, are liable to be apprehended and sent to England by any orders from the Court of Directors, they being all of them licensed and permitted to go to and reside in the East Indies.”

QUESTION. “WHETHER the Company’s servants and free merchants can be ordered to be sent to England; and, if they should refuse to obey such orders, Whether the Company can anywise, and how compell them to return; and will such persons incur any and what penalties for continuing in India, after notice of such orders for their return to England?”

ANSWER by Mr. Yorke. “As to the Company’s servants and free merchants, they are clearly not within the words or intention of the act; being all properly licensed. The only remedy against them, if they disobey orders, will be for damages on breach of their covenants.

9th November 1757.

CHARLES YORKE.”

ANSWER by Mr. Browning. “I apprehend the Company’s servants or free merchants who go to India with licence, cannot be forcibly sent to England; but if they are dismissed from the Company’s service, (if servants) and forbid to trade in India any longer, they shall continue to trade, otherwise than by getting in their effects, I think they will subject themselves to the forfeitures inflicted on unlawful traders by the statute 9th Wm. IIIrd.

9th November 1757.

JOHN BROWNING.”

#### CASE the Fifth.

“The Governor and Council at Bengal having, in their letters to England, expressed their doubts with respect to the powers they have of sending to England, persons who misbehave themselves, especially military officers, who till very lately signed no contract or agreement with the Company, the Court of Directors think it highly essential for the interest of the Company to have these matters ascertained, and to obtain farther parliamentary powers, if necessary.

MR. SAYER therefore will be pleased to peruse the papers and former opinions of Council herewith laid before him, and to give his opinion touching the powers which the Court of Directors, or the Company’s

presidencies abroad have over the several orders of people residing in the East Indies, with respect to the ordering and sending them home, in case of misbehaviour or dismissal from the Company's service, or their own voluntary resignations, viz. civil servants, military officers, free merchants, seafaring people and their families, and any other persons residing in India, with or without the Company's licence. And Mr. Sayer will also be pleased to consider the powers of the Company here, or their presidencies abroad, with respect to their taxing, or assessing the inhabitants for the necessary support and charges of government : and upon the whole,

QUESTION. The COURT of DIRECTORS desire MR. SAYER's opinion as to what measures it will be proper for them to take, and what orders to give, in the several matters abovementioned, to their several presidencies?"

ANSWER. " I don't find in the agreements entered into between the Company and their civil servants, military officers, and seafaring persons any covenants on the part of such persons, which oblige them to leave India and return home, though ordered by the Company so to do (be their continuance ever so dangerous to the Company's affairs) excepting their agreements with the free merchant, who covenants, that upon being ordered by the Company to leave India, he will, within a year after such notice, transport himself, family and effects to Great Britain. Had such a covenant been entered into by the civil, military, or seafaring persons, and they had refused to return to England after proper notice had been given them so to do, I should have had but little scruple in advising the Company to bring them home forcibly, though they are not strictly within the description of those offenders, who may lawfully be brought from India by force. But it is so fully within the intention of the many acts of parliament for securing an exclusive trade to the Company, that no British subject shall be in India, without the Company's consent, that I think, a person brought from thence by force, who had covenanted to leave India upon notice, and refused so to do, would, upon an action brought for such force, recover damages too trivial for the Company to regard.

As the Company's stipulations with their civil and military servants are so very defective, application should be made to parliament for a clause to be inserted in an act, that all their civil servants, or military officers, who have been dismissed from, or left the Company's service, and all those whose agreements with the Company for residence in  
India

India are expired and at an end, and shall refuse to leave India, in order to return to Great Britain, after three months notice given to such who are military officers and seafaring persons, and twelve month's notice to such who are civil servants, and free merchants, shall be subject and liable to all the penalties and forfeitures contained in the several acts of parliament for securing the exclusive trade to the Company, against British subjects, who trade, or are found within the Company's limits in India, without their licence or authority; such a clause, in my opinion, *may be easily obtained from parliament*, almost without debate, as the penalties have already been approved of by parliament, and the persons wanted to be included therein being fully within the description of trading, or being found in India without the Company's licence.

12th Oct. 1767

CHARLES SAYER."

Such were the opinions of the great lawyers to whom the East India Company applied, upon the right in question: and the learned gentleman whose opinion is last, not only seems to encourage his clients to the practice of imprisoning and transporting, because the damages that would in certain cases be recovered by the injured, would be too trivial to be minded, but also seems to have thought, that the Company would readily obtain any powers for practising this species of tyranny, by only asking them of parliament. Encouraged therefore by this opinion, and also instigated by the private motives mentioned in our last chapter, the Court of Directors, by their Chairman, then a member of the house, in March 1770, attempted in parliament to obtain the passing of the bill already mentioned, which under the specious title of a "Bill for compelling persons dismissed the service of the East India Company, to depart from the East Indies, and for better regulating the servants of the said Company," was artfully contrived to extend the powers of the Company by the formal sanction of the present parliament: for this bill, in its original form, did not alone respect persons dismissed the service, as would appear from the title, but extended indiscriminately to all British subjects, who were thereby to have been made liable to be sent from India to England by force, at the option of the Company, or their Governors and Councils; if seafaring or military officers, upon only six, and if Company's servants, or free merchants, upon twelve months notice.

A public spirited gentleman \* who, having for many years resided in Bengal, as a free merchant and in the Company's military service, was well acquainted with the evils consequent of the too great powers already exercised by the Company, and who might himself also be materially affected by the intended bill, presented a petition to the Honourable House of Commons, representing that such part of the bill in question as respected the authorizing of the Company to send to England any of his Majesty's subjects from the British settlements in the East Indies without their own consent, or otherwise than by due course of law, was, as he humbly conceived, contrary to justice and the fundamental principles of the constitution: and praying to be heard at the bar of the house, by himself or his council, against such part of the said bill.

Counsel was accordingly retained, and prepared to be heard before the house, and the following reasons against the exceptionable parts of the bill were printed off, and distributed among the members of parliament, viz.

1st. " Because by this bill the Company will be impowered to inflict, upon British subjects, the most severe of all punishments, except death, viz. imprisonment, banishment, and total deprivation of property, not only without any legal process, but even without accusation of any crime; a power which is conceived to be inequitable and oppressive in the highest degree, and such as is seldom exercised even under the most absolute and arbitrary governments in the world.

2dly. Because, under colour of this power, the Governor and Council of any settlement in India, upon the most capricious and causeless dislike taken against any British subject there, or on a rivalry in trade with any of the members of the Council, may suddenly, and irretrievably, effect his total ruin, though such person should never have been concerned in any trade, or other matters, that interfered with the real interests of the Company, in any manner whatever.

3dly. Because there is not any just pretence for granting any such injurious or unconstitutional power to the Company; they having by laws and institutions already established, and now in force, a sufficient remedy against any encroachments upon the privileges of their charter to the injury of their interests.

4thly. Because if it is even pretended, that there are any misdemeanours which the Company is not empowered to punish, by any statute

\* The gentleman to whom the public are indebted for this commendable conduct was *Archibald Keir*, Esquire.

now existing, which may render the residence of any British subject in India dangerous, or prejudicial to their interest, they may easily be prevented by the covenants entered into with the Company, or specified by the Directors, and provided against by the wisdom of parliament, in a regular, legal, and constitutional manner, by some judicial trial on the spot, in order to intitle the Company to the exercise of such powers.

5thly. Because British subjects, going out and settling in the East Indies with the licence of the Company, carry with them the rights and privileges not only of men, but of the British constitution, which, it is apprehended, cannot be surrendered to any company of merchants, so as to render their freedom and property dependent—not upon general principles of justice and equity—not upon the known laws of their country—but upon the arbitrary and capricious will of such merchants or their servants.

6thly. Because the granting such powers to the Company would be contrary not only to the general laws and constitution of Great Britain, but repugnant to those particular statutes or acts of parliament now in force with regard to the Company; which several acts, respecting the power of sending persons to England, relate only to persons going out to India without the licence of the Company; and the preambles of the said acts plainly shewing it was the view of the legislature to give encouragement for persons to go out, and reside and settle at the Company's several settlements.

7thly. Because the Mayor and Aldermen, or Judges of the King's Court of Record, in which all matters of property are determined, called the Mayor's Court, as well as the juries on all criminal matters at the quarterly courts of session of Oyer and Terminer, consist of free merchants, free mariners, and Company's servants; and if this bill should pass into a law, all the members of the said courts and juries would be reduced to so absolute and servile a dependance upon the Company, that the will of their Governors and Councils alone would influence or direct their decision, to the total subversion of all equity and justice; which, it is presumed, cannot be intended by the legislature.

8thly. Because this bill, if passed into a law, would operate as an act *ex post facto*, respecting those who have already gone to India under the former powers which the Company possessed; and also as to those who have become settled inhabitants of the different presidencies in India, and who may have launched largely into trade, and other branches of lawful and useful occupations, under the assurance that the general protection of Great Britain was secured to them by the King's courts, without their being liable to be sent out of the country upon twelve months or six

months



months notice ; notwithstanding they may have numerous suits, claims, or demands, for themselves or others, against the East India Company, or against the very men who are left to be the sole judges when those arbitrary orders are to be put in execution ; which must ruin credit by destroying all security.

9thly. Because this part of the bill is calculated merely to favour the oppressive and selfish monopolies in the trade of the country, which have prevailed there of late years, to the great detriment of the true interest of the East India Company as well as of the nation in general ; for the promoters of this bill are desied to shew any one instance, where the residence of a free merchant, free mariner, or Company's servant, in the East India Company's settlements, can be of the least detriment to the said Company ; on the contrary, the principles upon which the different charters have been granted, and the acts of parliament confirming them, invite European inhabitants from all parts of the globe ; and this bill would leave foreigners under more favourable circumstances than his Majesty's subjects, since it is admitted, by act 5 Geo. I. cap. 21. that such persons, not subjects of his Majesty, cannot be removed from the settlements, while they demean themselves agreeably to the laws of the community, which is all that his Majesty's subjects are now contending for.

10thly. Because the motives upon which the act of the 5th Geo. I. cap. 21. was passed, and also the motives upon which the act of the 7th of Geo. I. cap. 21. was passed, and upon which motives the present bill ought to be regulated, are artfully suppressed, and the reader is made to believe that these laws are actually enacted with a view to enable the Company to send British subjects out of India who were only carrying on the trade from port to port, or place to place, IN that country ; whereas the legislature never had any such intention, which (as has been said before) would have been contrary to the first principles of the establishments. But the whole view of the legislature was to prevent British subjects from trading TO AND FROM the East Indies, or acting under foreign commissions, as a recital of part of the said act will sufficiently shew\*, and a view of the whole act will demonstrate.

11thly. Because the great numbers of his Majesty's subjects in the East Indies rather merit the attention of the legislature, to restrain the tyranny

\* " And it is also provided by the same act, and by subsequent laws, that all goods, wares, merchandizes, and commodities, to be laden upon any ship or ships bound from the East Indies, or parts within the limits aforesaid, should be brought, without breaking bulk, to some port of Great Britain, and there be unladen, and put on land : notwithstanding which just and reasonable provisions and restrictions, several of his Majesty's subjects, not entitled under the said act of parliament, have presumed

tyranny and oppressions which have been exercised of late by the superior servants of the East India Company, in order to create monopolies, than to allow those servants any new extension of powers repugnant to the constitution, with a view to promote those destructive measures, whereby many thousands of British subjects must be exposed to ruin, and rendered servilely dependent upon the Governor and Council.

12thly. Because, by the Charter of Justice of the 26 Geo. II. it is there recited, that the conduct heretofore pursued had very much *encouraged not only our own subjects, but likewise the subjects of other Princes, and the natives of the adjacent countries, to resort to and settle in the several towns of Madras, Calcutta, and Bombay, and other forts and factories, for the better and more convenient carrying on of trade, by*

presumed to trade into, and visit the said East Indies, and other the places aforesaid, in foreign and other ships, intending there to load goods, and bring them into Europe, and land them in foreign parts out of his Majesty's dominions, to the great prejudice of the trade of this kingdom, and the diminution of his Majesty's customs, and other duties. All which practices being considered, his Royal Highness George Prince of Wales, then guardian of the realm of Great Britain, and his Majesty's Lieutenant within the same, was pleased, on the eighteenth day of October, which was in the year of our Lord one thousand seven hundred and sixteen, to issue forth a proclamation (amongst other things) strictly charging and commanding all his Majesty's subjects not to serve on board any foreign, or other ships, with foreign commissions and colours, bound to or from the East Indies, or any of the parts aforesaid; or directly or indirectly to visit, haunt, frequent, trade, traffic, or adventure into or from the said East Indies, or other the parts before-mentioned, contrary to law. But notwithstanding the prohibitions contained in the said acts of parliament and proclamation, and in defiance of the same, several evil disposed persons have gone on to procure and obtain several foreign commissions and passes, and under colour thereof, or otherwise, have fitted out and manned several English, and other ships or vessels, and have sailed with, or sent out the same, to trade and traffic in the East Indies, or other the parts aforesaid. Now, to the intent that such collusive, fraudulent, and illegal trade and practices may be prevented, and that so considerable and beneficial a branch of trade may be secured to this kingdom, be it enacted and declared, by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in parliament assembled, and by the authority of the same, that if any of his Majesty's subjects shall, from and after the twentieth day of February, in the year of our Lord one thousand seven hundred and eighteen, sail, go, or repair to, or be in the East Indies, or parts aforesaid, or any of them, contrary to the laws now in being, or contrary to the tenor of this act, every such person or persons so offending shall be liable to such punishment as by any law or laws now in being may be inflicted for such offence.

And to the intent that such offender and offenders may be brought to justice, it is hereby enacted, that it shall and may be lawful, to and for the United Company of Merchants of England trading to the East Indies, and their successors, to take, arrest, and seize, or cause to be taken, arrested, or seized, such person or persons, being a subject or subjects of his Majesty, his heirs or successors, at any place or places, or where he or they shall be found within the limits or places aforesaid, and the person or persons so taken, arrested, and seized, to send and remit to England, there to answer for the offence aforesaid according to due course of law.

And it is hereby further enacted, by the authority aforesaid, that all and every person or persons, who from and after the fifth day of February, one thousand seven hundred and eighteen, shall procure, solicit for, obtain, or act under any commission, authority, or pass from any foreign prince, state, or potentate whatsoever, to sail, or go, or trade in or to the East Indies or any the parts aforesaid, every such person or persons so offending herein shall incur and forfeit for every such offence the sum of five hundred pounds."

which means several of the said towns, factories, and places were become very populous, &c. &c. Which sufficiently shews, that the acquiring of inhabitants, and carrying on the trade of the country, were principal motives for the different establishments. And whereas by the said charter, "the Aldermen, or Judges of the Mayor's Court, are to continue in their respective offices of Aldermen for and during the term of their natural lives, unless their said places shall be voided, or themselves removed, in such manner as is therein after mentioned." Therefore, if this bill should pass into a law, all those wise and judicious institutions of our ancestors, to collect inhabitants, and to maintain the purity of the courts of justice would be defeated; and those courts of justice, when deprived of their independence, could only remain the engines of oppression."

Every thing was thus prepared to bring this important matter to a full discussion before the House of Commons, in the course of which many of the enormities committed in India in consequence of the Company's abuse of this unconstitutional power of suddenly seizing, imprisoning and transporting their fellow-subjects, would naturally have become the object of consideration to the House; but the promoters of the bill, conscious of the badness of their cause, and dreading the consequences of such a discussion, took the more prudent part of agreeing to withdraw all the exceptionable clauses and amend their bill, which, after being purged by the committee to whom it was referred, at last produced the act of the 10th of his present Majesty, intituled, "An act for better regulating persons employed in the service of the East India Company, and for other purposes therein mentioned," in its present form, wherein there is not one word mentioned about the seizing persons in India, and forcibly sending them to England. However by the expunging of those parts of the bill which were excepted to, respecting the extension required of those pernicious powers, a discussion was evaded which might have led to the relieving of British subjects from the difficulties under which they now labour from illegal imprisonments in India; left as they are to shift for themselves in combating laws of ambiguous and contradictory natures against a powerful and opulent Company, under this farther disadvantage, that damages, when obtained, will be "*too trivial for the Company to mind*," and of course too trivial to prevent any wanton breach of the laws, or to prove an adequate satisfaction for injuries so suffered.

Various have been the abuses practised by the East India Company and their substitutes in Bengal, in consequence of this pretended right of seizing and forcibly sending subjects out of India, by such acts of violence

violence and outrage committed in the British settlements, within the districts of the charter, as ought to kindle indignation in the hearts of every well-wisher to this country and the human race, and draw on those who have been guilty of them the utmost vengeance of the laws. As no general description can convey an idea of the cruelty of such acts of oppression and inhumanity equal to that which must be conceived from the simple recital of facts, we beg leave to refer the reader to the following cases in the Appendix, viz. N<sup>o</sup> XXX. the Cases of Benjamin Wilding and John Petrie, Esquires, page 81; N<sup>o</sup> XXXI. the Cases of Mr. Vernon Duffield and Mr. Francis Robertson, page 97; N<sup>o</sup> XXXII. the Cases of Mr. James Nicol and Mr. Thomas Davie, page 111; and N<sup>o</sup> XXXIII. the Case of John Nevill Parker, Esquire, with Sir Fletcher Norton's opinion thereon, page 121. In which cases will be found instances of every species of abuse and perversion of justice; of illegal imprisonments, barbarous acts of violence and ruinous transportations; of lawyers, justices and judges refusing, or evading the discharge of their respective duties in the most pressing exigencies, and on the most important matters; such as when British subjects were besieged, or barricaded up in their own houses, deprived of light, of food, and even obliged to live amidst their own excrement; cruelties that hitherto stand perhaps unparalleled in the records of nations, on such pretences as were urged for them in India; and such as, according to the constitutional laws and customs of this country, no offences or crimes in the parties, if any such had been proved, could possibly have authorized being practised.

After perusing the cases referred to, and having attentively considered the reasons published against the before-mentioned bill, brought into parliament for a confirmation and extension of a power so very dangerous and unconstitutional, the reader will be enabled to form a tolerable idea of the policy and pursuits of the East India Company, and those who have acted for them. Many other grievances that have been lately suffered in India, equally oppressive with those we have taken notice of, might be instanced. They are however all comprehended in those two essential points, the loss of liberty and the loss of property; and the cases already adduced will be sufficient to convince every just man, that it can never be safe in any community to leave rulers unrestrained by determinate laws, to act as their own conveniences or inclinations may direct. The wisdom of the legislature has guarded the subject against this kind of power in every part of the British dominions, except the East Indies.

The effects in India of sudden transportation, with respect to the destroying of credit and all private security, must appear evident, and indeed have been severely felt by the generality of British subjects since those tyrannies have been practised in Bengal; for it is well known, that any young writer in the Company's service will now find it more difficult to borrow *five hundred* rupees from a Black merchant, than six years ago he would have *five thousand*.

When persons quit India, it has been usual for them to leave a considerable part of their property behind them. But while such is the practice, or the assumed power of the Company, or their Governor and Council, in whose hands can any man trust his property, where every one is in the same predicament, of being liable to be sent away, whenever the doing it may appear convenient either to the Company or their Governor and Council, who make themselves absolute arbiters of the expediency of such acts? Or who will buy either houses, goods, or ships, of obnoxious or persecuted people, who must of necessity sell them in a short time, especially when it may easily, and most probably will be hinted to them, that if they do so, they themselves shall soon follow? But on such an event, what must become of the debts due to exiles, or of the suits at law in which they may be engaged, either for themselves or others? These it must be supposed, or the greater part of them, will be inevitably lost; for who would be in a hurry to pay or settle accounts with such devoted people, when their not doing it would insure them favour; and where the very Aldermen of the Mayor's Court, the creatures, nay perhaps the determined tools of a Governor and Council, are the only persons to compel payment, especially when it is known such persons have only a few months to remain in India? Many mercantile adventures, in which merchants established in India are often engaged, cannot be concluded within the space of two years, as is well known to those who have resided and traded there. Should such traders be sent suddenly away, who would there be to liquidate matters properly on the returns of vessels? In any or all of these cases, the Governor himself, or he and some of his chief counsellors, might become the purchasers of all the houses, ships, goods, or merchandize in the settlement; which would be no small *stroke* in trade, and of a piece with many such *strokes* as have been often known to be *struck* successfully under arbitrary or despotic governments.

We know the assumed powers given by royal patents have been often pronounced illegal, and of course invalid, by the courts in Westminster Hall; so likewise the exclusive right of trade, from the Cape of Good Hope

Hope eastward to the Streights of Magellan, as granted by King William to the India Company, and approved by parliament, was almost immediately set at nought by a self-erected, unchartered company of adventurers, who traded directly to India, in defiance of the king, ministry and parliament, after an hundred and seven thousand pounds had been expended to obtain and secure, as was imagined, that exclusive privilege. Nay, that very government-defying company, for the sake of a public loan, obtained, some years afterwards, an act of parliament to authorize the same King William to grant *them also* a charter for trading to the East Indies; which was accordingly done, though the former exclusive charter continued apparently in force, for the possessors of it were still prosecuting their trade. The two companies were afterwards united, by an act of the 6th of Queen Anne; when they had jointly the exclusive right of trade given them, as usual, from the Cape of Good Hope eastward to the Streights of Magellan.

It is true, that in the sixth year of the reign of Queen Anne, government had been expressly empowered by parliament to grant a new charter to the two East India Companies, with an exclusive right of trade to the extreme \* extent already mentioned, in consideration of a loan which they were to supply. But all the East India Company's claims of exclusive right of trade to the most southern parts of America, as well as to many other countries within their absurd boundaries, to which they never yet have traded, nor probably ever will, were effectually invalidated on the establishment of the South Sea Company, three years

\* By the tract, or line marked for exclusive commerce granted to the East India Company, from the Cape of Good Hope eastwards to the Streights of Magellan, the countries included must naturally have been supposed to be, the Coast of Africa, beyond the Cape; those of the Red Sea; the Gulph of Persia; all India, China, Japan, and round by the South Seas to those Streights: or, in other words, that the Cape of Good Hope and the Streights of Magellan were to be the two maritime doors to India, which no English trading ships were ever to pass but those of the Company, under the penalties of seizure of persons, confiscation, and other severe damages.

But in the ninth year of the same reign (1710) the ministry having near ten millions of increased national debts, which they found themselves necessitated to fund, as an expedient for that purpose, they obtained power from the parliament to establish the South Sea Company; with an exclusive right of trade from the river Oronoko, round *Tierra del Fuego*, or the land of Cape Horn, through the South Seas, to the northernmost parts of America. They were however prohibited from trading to Brazil and Surinam, *because* the former belonged to the Portuguese and the latter to the Dutch, who being then respectively the good allies of this nation, trade with their American colonies was left open to all British subjects. But the Spanish ports, or any others within those extensive boundaries, were only to be traded to by the South Sea Company, *because* England was at war with the Sovereign then on the Spanish throne \* although the Company could not at that time carry on any trade with those countries.

Such were the baits used for catching gudgeons; who accordingly subscribed *locked up debts* towards a *Trading-Stock*, for prosecuting commerce where it could not be carried on: and which even with the aid of the *Affiento Contract*, after peace became established, was never farther pursued than to swell that Stock into a Bubble, which ten years afterwards burst into widely-spreading ruins.

afterwards:

afterwards: as by the exclusive rights of trade given to the latter, the East India Company was precluded the navigation of the South Seas; the prescriptive line of their exclusive right being then turned the other way from the Cape of Good Hope, through seas without land. Nor indeed could the East India Company's ships go either way from that Promontory to those Streights without breaking the boundary-lines for exclusive navigation granted to the new-erected Company.

Most, if not all the Charters which had been granted before that of the 10th of King William, were to Companies of Merchants trading *into India*. That of the Second Company, then established by that Monarch, was a shameful grant, because his First Company was then existing with a sole exclusive right, as far as he could grant it; and on the plea of a loan, for which he granted the Second, he might as well have granted twenty more: for had his first exclusive charter been constitutional, the laws must have given it a permanent force. However, his second charter was granted to a Company of Merchants trading *to India*, by way of evasive distinction. But in the charter of the 6th of Queen Anne, for uniting the two Companies, they were separately mentioned, as *the Merchants of London trading into the East Indies*, and *the English Company trading to the East Indies*; with express reservation of the sovereign rights and power over all forts, places, plantations, and settlements, in which the laws of England were to prevail; and with a regulated coinage. By this charter was given to this United Company the exclusive right to trade *to and from* the East Indies; and when their exclusive right was further prolonged, they were thenceforward called *The United Company of Merchants of England trading to the East Indies*, but without the word *in*: and therefore internal trade could not fairly be implied for India, any more than for England. It was not till the reign of George the First that such an extension of exclusive right was expressed; when other subjects were, by acts of parliament, expressly prohibited trade, traffic and adventure *in, to and from the East Indies*. Perhaps the Company first obtained the insertion of a comma that formed two words out of one, by artifice, and so made the grant in the old idiom, of *into and from*, better serve their purpose by the new reading then first given them, of *in, to and from*; for the inferences natural to be drawn from a British grant of exclusive right to trade *in* India, are too absurd to admit even a supposition that the legislature really meant it for all the interior parts of India; or even for all trade within the immediate jurisdiction of the Company's own settlements.

While the East India Company continued entirely commercial, and had but a few acres of land assigned them, on which they were permitted

red to establish factories, only for the convenient carrying on of their import and export trade, which was all that, as merchants, they could have occasion for, the Indian Princes keeping to themselves the regulating and managing of government and all internal traffic; in such a situation of things, had an Englishman gone out in a foreign ship, to a foreign settlement in India, and from thence passed into the inland territories of any Prince of the country, there to carry on trade which did not interfere in any shape with the dealings of the Company, or those of any of their European rivals; never intruding on the Company's lands or settlements, and without ever doing them any kind of injury whatsoever; but proceeding innocently and honestly in the acquisition of a fortune, on the view of returning with it to his native country, it is submitted to the opinion of every able and upright lawyer, Whether such a man was really transgressing the laws of his country? Or if any agents of the Company should find means to get him into their hands, Whether they would have a constitutional right to harass, confine, and forcibly send him a prisoner to England? Or whether by so doing they ought not to be made answerable, by justice in England, alike for all injuries in fortune as well as personal sufferings that were so occasioned by them?

The Company and their servants in India, however, pretend they have a right so to act. It was on this supposition at least, that they seized on the persons of Mr. James Nicol and Mr. Thomas Davie in the dominions of Sujah al-Dowlah; though on the same principle they might as well pursue, as lawful prey, any British subject who was only travelling for the sake of curiosity, or of science, even from the bottom of the Bay of Bengal to the borders of Russia, if they could extend their pernicious influence so far; since their limits are not bounded by any line northward. Nevertheless, every man must have the natural right of going where he pleases, to dispose of his own lawful property, and to extend his trade wherever he can gain admittance, especially as by the English laws, particularly the Statute of the 19th of Henry the VIIIth, English Merchants in any nation in amity are acknowledged to be subject to the laws of that country where they reside, and consequently ought to be under the protection of the laws of such countries, in the same manner as the subjects of any other country, when resident in Great Britain, must be subject to and are protected by the British laws.

It may be alledged, on the part of the Company, that no Free Merchant, Free Mariner, or Company's Servant can trade in India, but in consequence of a licence obtained from them for a certain time:

and



and that a licence accepted for a limited time, implies a power in the granter to refuse a renewal of it for any farther time, under which known conditions every one goes out to settle there ; and therefore, after having solicited and accepted the first grant as a benefit, no person can have reason to complain, at the expiration of the time limited, if a second should be refused him.

To which it may be answered, not disputing here what the constitutional rights of Englishmen formerly were, or now are, within or without the immediate settlements of the Company, that there is always supposed to be a mutual convenience, or advantage in all such engagements, and that honour should ever regulate either party in their conduct. With respect to Free Mariners, or Free Merchants, that mutual convenience must be supposed to last so long as new licences continue to be granted : and therefore, if the possessor of an expired one has not done any injury to the Company, or been guilty of any crime, not to suffer his continuance in a station that had been hazardous and expensive for him to get into, is a most unjust, arbitrary and wicked exercise of power. Should it be said, that the Free Merchant's indentures stipulate, that he shall leave India whenever his stay there shall become inconvenient to the Company, it may be answered, that the same indenture, more in the spirit of the constitution, and agreeably to the true interests of the Company, oblige him to remain in India for the space of five years ; which does not at all imply that his time is out then, if he should choose to remain longer, and demean himself with obedience to all lawful orders and regulations prescribed by the Company. That clause in the contract whereby the Company make him bargain with them, that they shall have power to seize him and send him by force a prisoner to England upon twelve months notice, whenever they deem his stay inconvenient only, is in its nature absurd and ridiculous, as well as illegal ; for it makes him bargain to give away his natural rights, which it is conceived a man can no more do by law, than he can bargain away his life.

But there is a direct unconstitutional use to be made of such power, which is, as we have seen, that of employing it to punish men for doing their duty even in courts of justice. They may disoblige men in power by refusing to be pliant judges, if in the Mayor's Court ; or pliant jurors, if impannelled as jurymen at the sessions ; and may be therefore punished with ruin, in revenge for their honest discharge of the first social duty : which motives, as well as many others that might be instanced, though they are such as only wicked men could be influenced to avail themselves of, yet the power is such as ought not to be

be entrusted even with the most just. Nor can it be other than impolitic in, and injurious to the very Company, if they knew their own true interests, for their servants in India to be vested with such powers : for the natives of Bengal, who see that no such violences are ever committed in the French or Dutch settlements there, must naturally entertain unfavourable notions of the English government, at least on this point ; and another natural consequence is, the forcing of British subjects, for the probable security of at least some part of their fortunes, to seek that protection among foreigners which they find they cannot enjoy in the British settlements.

Instead, therefore, of discouraging British subjects from going to British settlements, or driving away such as are already settled there, the Company should, by all means in their power, encourage and protect them in such residence, as they would thereby accommodate a greater number of his Majesty's subjects, to the augmentation of trade, particularly in the sales of British commodities ; and with the consequent increase of population, an increase of revenues must necessarily follow. But above all, a greater number of British inhabitants in the settlements of the Company would give them, without expence, a strength and stability which they can never otherwise possess.

The gallant behaviour of the inhabitants, free merchants and free mariners, when Calcutta was lost in 1756, and retaken in 1757, may be mentioned as a proof of what we advance. But still a stronger instance of the same kind was given in the year 1759, against the Dutch ; when, had it not been for the spirited and active behaviour of the inhabitants, the Company's military force would not have been able to cope with their enemies. Again, upon the rupture with Cossim Ally Khawn, in the year 1763, the European inhabitants of Calcutta were formed into four companies of militia, and properly disciplined for the defence of the settlement, while all the regular troops were sent to a distance against the enemy ; however, after the happy defeat of that Nabôb at Garcea, there was no farther occasion for the service of the militia. But upon all these occasions the very existence of the Company was wholly at stake, though in the end, fortune favoured them with the rich acquisitions which they now possess in Bengal.

If, therefore, there be any power which, in the present situation of their affairs, is really necessary to the Company, it is the power of effectually controuling, or punishing their servants in India, for disobedience of orders, breaches of trust, or other acts of misbehaviour, and not this power of seizing and transporting their fellow-subjects at will. On the contrary, the free and full exertion of the English laws

in their settlements, and the power of the subject effectually to apply to those laws, when injured, would be the best, nay perhaps is the only possible check the Company can ever have against such misbehaving servants.

Banishment, or transportation, is certainly the next degree of punishment to that of death; but it is more than doubly increased when made likewise the cause of deprivation of fortune, which, as we have shewn, on the present system of the Company's affairs, must ever be the consequence of the sudden removal of a merchant from Bengal to Europe: and it is inconceivable how the British legislature could ever have given even the appearance of their sanction to so illegal an exertion of power as that by which the Company's servants now tyrannize. When one law is made that is incompatible with the general principles of the constitution, a thousand absurdities must be consequent thereof. Thus, in the instance now before us, among many other absurdities, we see the deputies of the deputies of a company of merchants exercising in the British settlements in Bengal a power of withdrawing protection, and of inflicting, at will, the heaviest punishments on British subjects; such as, in this happy country, neither the Sovereign, the Lords, nor the Commons, can separately do, or inflict; nor legally any power but that of the whole legislature, by an express act for every particular purpose, after a legal trial and conviction of the party for crimes deserving of such punishment. We see even foreigners left to enjoy, in a British settlement, the privileges of security in their persons and property, from which Englishmen are formally excluded: and admitting that an Englishman had been guilty of a crime against this Company which could, from the laws in their favour, warrant a criminal prosecution; in such case, contrary to one of the fundamental principles of the English constitution, he is removed from the country in which the offence is supposed to be committed, even to the opposite side of the globe, notwithstanding there are courts established in India which should be *competent* for the trial of *all offences*, except high treason. To crown all, if the party thus banished, or transported to England, be innocently so oppressed, he is by such proceedings first ruined, or at best rendered incapable of prosecuting with effect, and then the law, as it now stands, refers him to the Court of King's Bench for justice against his oppressors.

After all, the Company cannot with truth alledge, that such a power is necessary, or in any shape essential to their exclusive right of trade *to, and from India*: nor can they adduce one solid argument in support  
of

of such a necessity on any other pretence whatever. They are despotic SOVEREIGNS of the whole country, and in fact *Lords paramount* over the English laws and courts of justice. No inhabitant of their settlements can commit any crime to endanger the security of the Company, but what must equally endanger the safety of every individual member of the community, they being inseparably connected together. What reason then can be alledged for the necessity of this tyrannic power of banishing, or transporting persons *unaccused judicially, unconfronted, and unheard?* unless it be a tacit acknowledgment, that the Company, without it, are incapable of governing the dominions of which, as we have seen, they confess themselves SOVEREIGNS? And in such case, what stronger proof could be given of the necessity of the most speedy and effectual interference of the **British legislature** to destroy this joint monopoly of power, justice and trade, which it can never be wise, safe, or just to suffer being ingrossed by any set of men whatever.

Upon the whole, every man will acknowledge, that there ought to be an efficient civil power in the British settlements in India, to prevent or remove injuries and abuses, to preserve order and discipline; to punish every kind of offence, and duly to support the authority of government. all which, it is humbly conceived, might be easily and consistently effected, without prejudice to private property, and without infringements on public liberty. But arbitrary seizures of men; secret inquisitorial interrogations, under guards, of either offenders or witnesses; sequestered imprisonments by military force, and sudden and forcible transportations, or banishments of men without trial, or legal conviction of any crime, from their families, stations, fortunes, or prospects, and sometimes with the sacrifice of all, are powers too detestable in their natures to be suffered any where to exist, and much less by any authority pretended to be derived from the British government.

In England, and other parts of the British dominions, while so great a stir has been made about the liberty of the subject and the security of private property, it is amazing that so little attention has been paid to the situation of British subjects in Bengal, groaning, as they have been, under the intolerable oppression of this enormous and unconstitutional power. In the mean time, it is principally to this exorbitant power, the exercise of which has been greatly encouraged by the Directors in almost every general letter to Bengal \*, that we must attribute the im-

\* In their general letters since the year 1764, the Directors have been used very injudiciously to authorize their Governor and Council at Bengal, at their own discretion, to withdraw their protection from, or seize and send to England any person or persons who might be guilty of the smallest contravention of their orders. An authority that must be highly dangerous, because encouraging and even tempting to the abuse of it.

menſe fortunes which have been of late ſo rapidly ſqueezed from the natives in thoſe parts; and which will continue to bring thoſe provinces nearer and nearer to deſtruction, if effectual meaſures be not ſpeedily taken to prevent ſuch violences; to enable the injured more eaſily to obtain relief, and to inflict exemplary puniſhments on ſuch oppreſſors. If this be not ſpeedily done, neither the Company nor the nation can have a right knowledge of their true intereſts in Indian matters, and poſterity will juſtly remark of this period of the eighteenth century, that it was then ſuppoſed the law of the land, for Britons in India to be *imprifoned, baniſhed, and transported by the Engliſh Eaſt India Company, unaccuſed, and unbeard in their defence.*

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## C H A P. XII.

OF the REVENUES of BENGAL and its DEPENDENCIES; AND OF THE METHODS OF COLLECTING THEM.

THE revenues of Bengal and its dependencies ariſe from the rents paid for lands, either according to their meaſurement or according to the produce of them, at certain eſtabliſhed rates, which vary in different parts even of the ſame province, according to its different degrees of fertility. While the empire remained unſhaken, the general eſtabliſhed rate of eſtimation at Dehly, for cultivated ground in Bengal, was three ſicca rupees, or ſeven ſhillings and ſix pence *per bega* of 16,003 ſquare feet, one with another, or about twenty ſhillings per acre. But this was not the rate of collecting the rents in thoſe provinces, where few lands paid according to meaſurement at ſo much *per bega*; but generally a proportion of the crop eſtimated on the ground, and valued at the then market price of ſuch produce. Thus ground producing rice, peaſe, wheat, barley and other grain generally pays one half of the crop, in which mode ſome products make the *bega* very valuable, as the lands in Bengal, from the extraordinary fertility of the ſoil, in moſt places produce two, and in ſome even three crops of grain in the year. Ophium and ſugar-cane, which yield only one crop in the year, and are only produced in particular diſtricts, yield to the land-holder at the rate of from ſeven to as high as fifteen rupees *per bega*: but the moſt valuable product of all is the ſhrub which bears the leaf called by the natives *Paun*, and by the Engliſh Beetle-leaf; which, notwithſtanding the vegetative advantages of the ſoil and climate, requires ſome nicety  
in

in cultivation, and pays the land-holder as high as thirty-two rupees *per bega*.

The whole of what was collected, was the property of the Emperor, by whom the whole country (excepting such parts as were assigned on temporary grants to the crown pensioners, called Jagueerdárs, and the charity-lands, allotted to religious purposes, by the denomination of Bhurmuttero, and a variety of other hard names, under the general title of Bazy Zemeen, which would require whole pages to explain) was allotted for the purpose of governing, and collecting the revenues thereof, to such persons as he pleased, either as superintendants, farmers of the revenues, or governors, under the different ranks of Rājahs, Subahdárs, Názims, Nabôbs, Zemindárs, &c. who, whatever they might collect, were seldom molested by any officers from the King's Dewân, or Receiver General of the revenues, so long as they regularly accounted for the sums at which their provinces were respectively rated in the King's books, and satisfactorily gratified the Dewân and other great officers of the court.

The Rājahs are Princes descended from the ancient Gentoo Kings; many of whom by the indulgence of the Moguls, who always had the justice or policy to shew particular attention to this race, have had their rājahships hereditarily continued in their families: though the MOGULS of later years have assumed the power of *creating* even GEN<sup>TOO</sup> RAJAHS, as well as ENGLISH OMRAHS. Several Rājahs of the ancient races, however, still hold rājahships among those lands which are now possessed by the English Company. The other renters, called Zemindárs, and the Governors of provinces called by the different names of Subahdárs, Názims, or Nabôbs, (now mostly Mahomedans) that hold lands, are temporary farmers, who usually hold them from year to year, though sometimes for a term of years. These Rājahs, Nabôbs and Zemindárs, for such lands as they held, were taxed upon a general representation of their produce, *ad libitum*, by the Sovereign; who likewise could, when he pleased, resume the whole of the collections, as far as could come to his knowledge; paying or allowing the great land-holders, or superintendants therefrom, such sums as he thought proper for their subsistence, and for the charges of the collections and of their respective governments.

There are another set of lesser renters under the government, called Chówdrys, Talookdárs and Etmaumdárs, who are accountable for their rents to the before-mentioned great land-holders; and both the greater and lesser renters have usually farmed out their lands again, for a net sum, to men of property on the spot, as under-farmers. These last are they who set the lands to the *Ryots*, or poor tenants and manufac-

turers,

turers; though the great renters do frequently keep the lands in their own hands, and collect immediately from the *Ryots*, at their own charge, by their own officers at the *Cutcherries*, or offices so called, established for that purpose in every district where they are found most convenient, and where, in cases of backwardness in payment, the *Ryots* are severely chastized.

The *Ryot* holds his lands by a kind of lease called a *Pottah*, specifying the sort, quantity and rate of his land, the rent of which is to be paid at stated periods; and these *Pottahs* are irrevocable by the ancient established laws of the empire, so long as the tenant justly pays up his rents; and even in case of failure therein, so tender were ancient customs of the husbandman's interest, that he could not be dispossessed of his lands until after a failure in his payments for twelve months.

For the purposes of cultivation, it has been likewise ever customary for the Nabobs to lend the lesser land-holders, and again for those land-holders or other men of property to advance to the *Ryots* considerable sums of money upon bond, though at a very high rate of interest, even so high as upwards of forty *per cent. per ann.* to be repaid from the produce of the ensuing crop. The sums advanced in this way, commonly known in Bengal by the term *Tagábeey*, are employed by the *Ryot* in the charges of cultivation, particularly in buying cattle and seed, and in making the necessary reservoirs and drains, which are there very requisite, and the most expensive preparatives. Without this advance to the poor people, the whole business of agriculture would be at a stand; it is therefore evident, that the encouragement derived by the poorer sort of people from public protection can be no where more necessary than in the interior parts of Bengal.

Since the subversion of the Mogul empire, the lands of every district of course become the property of each respective usurper, so long as by their own power they can maintain possession; and so long each usurper deemed himself, and in fact was a real sovereign. Thus, upon the English East India Company's assuming the *Dewannee*, we find that they also, in their turn, declare themselves to have become the *Sovereigns*\* of a rich and potent kingdom; of the revenues of which they likewise declare themselves not only the *Collectors* but *Proprietors*.

\* See a LETTER from the SELECT COMMITTEE at CALCUTTA to the COURT OF EAST INDIA DIRECTORS, dated the 1st October 1767, signed by Lord Clive, William Brightwell Sumner, John Carnac, Harry Verelst and Francis Sykes, Esquires; AUTHENTIC PAPERS, pages 92 and 103. See also the Proceedings of the SELECT COMMITTEE at CALCUTTA, the 18th September 1765, as contained in the following chapter.

When the sovereignty of the Bengal provinces was thus taken by the Company upon themselves, in 1765 Mr. Sykes was appointed, by the President and Select Committee at Calcutta, the Company's Resident at the Durbár †, or *the Nabób's Court* at the capital of Murshedabâd, to adjust the gross revenues of the provinces, and settle the *claims of Jaguerdârs*, as being a part of that business. This gentleman, single and without any checks, was likewise entrusted with the direction of the *Nabób* and his officers, superintended the interior collections, and the administration of justice in countries more extensive and more populous than Great Britain; and, as if these were not enough for the single abilities of this gentleman, the wisdom of the Select Committee farther loaded him with the additional charge of the chiefship of the Company's factory at Cossimbazâr, where most of their silk and a great part of their other Bengal investments are provided.

The amount of the whole revenues of Bengal and its dependencies, as adjusted by Mr. Sykes in the said year, 1765, was estimated as follows, viz.

† In order farther to understand the business of the revenues, and of the Resident at the Durbâr, see Nos XXXVII. XXXVIII. XXXIX. and XL. of the APPENDIX, pages 133 to 145, being copies of four letters from Mr. Sykes to the Select Committee at Calcutta, on his adjustments of the *Dewanee Revenues*.



REVENUES arising from the different DISTRICTS which are made to compose the Country called BENGAL, as fixed with the different Zemindárs, Talookdárs, and Etmaumdárs for the Bengal year 1172, or Christian year 1765, viz.

Gross Revenues	-	-	-	Sicca Rupees	-	15,623,455	0	0
Deduct charges of collection	-	-	-	-	-	1,029,929	7	0
				Sicca Rupees	-	14,593,525	9	0
Sundry duties and fines			Net Sicca Rupees	19,138	7	0		
Duties of Chunacolly	-	-	-	173,610	5	0		
Buxbunder	-	-	-	125,000	0	0		
Azimungc	-	-	-	107,060	0	0		
Mint at Murshedabád	-	-	-	30,005	8	0		
						454,814	4	0
								15,048,339 13 0

REVENUES arising from the different Districts which are made to compose the Country called BAHAAR, as fixed with the different Landholders for the year 1766, viz.

Gross Revenues,	-	Sicca Rupees	-	7,499,398	8	0
Nuzzeránah or acknowledgment paid by the						
Dutch at Patna	-	-	-	15,000	0	0
						7,514,398 8 0

#### DEDUCTIONS.

Amount of Jagueers, to be paid annually to different persons, as having *Royal Sannuds* for the same,

903,492 13 0

Allowances made to the following Persons for the Wages of Servants, &c. viz.

The Nabób Itraam al Dowlah -	100,000	0	0
Dirgenarain and Shetabroy, the Company's Collectors at Patna, each at 50,000 -	100,000	0	0
Expences for servants and other attendants for the public bu- sinefs allowed to Dirgenarain and Shetabroy, at 25,000 <i>per</i> month -	300,000	0	0
	<u>500,000</u>	0	0
		<u>1,403,492</u>	<u>13 0</u>
			<u>6,110,905</u>
			<u>11 0</u>
			<u>21,159,245</u>
			<u>8 0</u>

COUNTRIES ceded to the COMPANY by COSSIM ALLY-KHAWN, viz.

BURDWAN, as stated and settled by Harry Verell, Esq; Supervisor -	3,350,000	0	0
MIDNIPORE -	822,088	0	0
CHITTIGONG -	421,241	7	0
	<u>4,593,329</u>	<u>7</u>	<u>0</u>
CALCUTTA, Town -	58,168	0	0
55 Villages -	29,919	0	0
	<u>88,087</u>	<u>0</u>	<u>0</u>
Sea Customs -	140,000	0	0
	<u>228,087</u>	<u>0</u>	<u>0</u>
24 Pergunnahs, ceded to the Company by Meer Jaffier, as settled by Lord Clive and the Secret Committee	847,000	0	0
	<u>1,075,087</u>	<u>0</u>	<u>0</u>
		<u>26,827,661</u>	<u>15 0</u>
			<u>Net Sicca Rupees</u>

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Which

Which sum of Sicca rupees, two crores, sixty-eight lacks, twenty-seven thousand six hundred and sixty-one, and fifteen annas, valuing the Sicca rupee, according to Mr. Sykes, at nearly two shillings and eight pence halfpenny, and making (£. 3,630,676 18 5) the sum of pounds, three millions six hundred and thirty thousand, six hundred and seventy-six pounds sterling, Mr. Sykes subscribed to, and declared it to be his opinion, that the whole would be collected in the year 1766, without oppressing the inhabitants. The Right Honourable Lord Clive likewise gave his opinion upon this statement of the Bengal revenues, in his letter to the Court of Directors, dated Calcutta, the 30th September 1765, in the following words \*.

“ Your revenues, by means of this new acquisition (meaning the Dewannee) will, as near as I can judge, not fall short, for the ensuing year, of 250 lacks of Sicca rupees, including your former possessions of Burdwân, &c. Hereafter they will at least amount to 20 or 30 lacks more. Your civil and military expences in time of peace can never exceed 60 lacks of rupees. The Nabob’s allowances are already reduced to 42 lacks, and the tribute to the king is fixed at 26. So that there will be remaining a clear gain to the Company of 122 lacks of Sicca rupees, or £. 1,650,900 sterling, which will defray all the expences of the investments, furnish the whole of the China treasure, answer the demands of all your other settlements in India, and leave a considerable balance in your treasury besides. In time of war, when the country may be subject to the incursions of bodies of cavalry, we shall, notwithstanding, be able to collect a sufficient sum for our civil and military exigencies, and likewise for our investments; because a very rich part of the Bengal and Bahâr dominions are situated to the eastward of the Ganges, where we can never be invaded. What I have given you is a real, not an imaginary state of your revenues, and you may be assured they will not fall short of my computation.”

After producing two such good authorities, the reader will certainly admit, that such was the improveable state of the revenues in Bengal in the year 1765.

In the continual fluctuation of the property of the country, under different usurpers, the most simple mode of taxation, under manifold oppressive pretences, has been so increased and varied, and, by the villany of the endless train of accountants, shroffs, or money-changers, receivers and other officers employed in the collections at the Cutcherries, has in many places become so perplexed, as to render a thorough

\* See AUTHENTIC PAPERS, page 26.

knowledge of the present revenues a difficult task; and from the present general state of the country, as well as from the particular customs and methods of conducting this business, the harpies employed find it easy to practise every species of extortion and fraud. This is so much the case, that in many places, after the yearly account of a Pergunnah has been settled at any of the Cutcheries, the detection of its fallity, or the proof of its truth would be a difficult undertaking even to the best accomptant, however well acquainted he might be with the languages and customs of the country.

In fact, every method practised in the business of the collections seems to have been calculated, in every department, to encourage deceit, and screen it from the Sovereign: for the very accounts of the Bengal collections, which are kept in the Bengal language, are, from established custom, kept on small octavo slips of paper, called *Ferds*, and filed on a string; which, if not sharply looked after and regularly abstracted, it is very easy for the Black clerks to take off one *Ferd* and slip on another, to serve a particular purpose. The English collector can never detect a fraud of this kind, unless he can write and read the \* Bengal language, or has, what is very rare, honest Banyáns about him.

The same confusion which has prevailed in the Dehly provinces since the subversion of the empire, has extended to the dominions of every usurping Nabôb. Thus, in particular, from the invasion of Nader Shah downwards, the independent Nabôbs, or Subahdárs of Bengal, have in general paid but little attention to the hereditary rights of the antient Rájahs, or Zemindárs; and since the English East India Company have become the Sovereigns of Bengal, less ceremony has been used with them; many of the lowest class of Banyáns having been put over them, or in their places, as well as in every department of the government.

The revenues, when adjusted at Murshedabád, are taxations *ad libitum*, and hitherto have depended entirely on the arbitrary will of the English chief, or chiefs; as may be also seen from Mr. Sykes's Letters,

\* A very extraordinary instance of the great utility, of this attainment, to the English collectors, came within the writer's knowledge in the year 1766, while Samuel Middleton, Esq; was chief of the Company's factory at Patna, and superintendant of the revenues of the Bahár provinces, under Murshedabád. The Vakeel of one of the Zemindárs presented himself before the chief with some heavy complaints, as from his master, which related to the affairs of his country. In support of his complaint, he pulled a letter out of his turban, and began to read the complaint in the Bengal language very fluently, translating it into Hindostan, for the chief, as he went along. The writer, who understood a little of this language, was looking over his shoulder all the while, and discovered to Mr. Middleton that there was not, in all the letter, a word written of what the Vakeel pretended to read: whereupon his falsehood was detected, to his great shame and confusion.

already quoted: and those chiefs so beset with harpies, who, from the highest to the lowest, will be always interested in deceiving them and endeavouring to sap their integrity, can have no guides whom they can depend on but their own judgments and *consciences*. With English collectors another set of men have been also naturally introduced, the English Sircárs and Banyáns; who, from the superior influence which they assume over the rest of the Black officers, as being *Dewáns* to the Lords of the country, must generally be first satisfied. Under these different ranks of men, the divisions and subdivisions are innumerable; all of whom, from *the Nabób* down to the lowest officer of a village, must have a share of what can be secreted from the revenues. In this situation of affairs it is obvious, that there must be innumerable abuses in the department of the revenues, which will escape the English collector, though a man of the greatest integrity; of some of which abuses we will briefly take notice in this place.

At the commencement of every year, which in Bengal begins in April, there is an established festival, called the Pooncha, which is the time appointed for adjusting the accounts of the revenues with the different land-holders, and confirming or revoking their leases, according to their merits, or otherwise. At this feast the different *Rājals* and *Zemindárs* either appear at Murshedabád in person, or send their *Vakeels*, to negotiate and settle the sum to be established for the revenues of their respective districts for the ensuing year, as well as to adjust the accounts of that expired. On these occasions, whether a *Zemindár* has been punctual or not in the payment of his rents according to the terms agreed on, the *Mutseddees* never want a complaint against him, a pretext for raising his rents, or a competitor to be opposed to him, for the purposes of securing his consent to the payment of a private *Nuzzeránah*, or present demanded; which *Nuzzeránah* is generally increased, by the *Zemindár*, in proportion as the officers upon whom the generality of the Company's chiefs *must* depend for their information, agree to decrease the sum stipulated for the next year's revenue: and, in this situation, he who agrees to the largest sum of *Nuzzeránah* is let loose upon the country for the ensuing year.

This adjustment, which in Bengal is emphatically called *the Bundobust* (the tying and binding) naturally affords a fine field for the exercise of the fertile genius of this race of Asiatics, inferior to none in intrigues. The *Zemindárs*, who upon this occasion generally are in want of large sums of ready cash, as well as of security to be given for the payment of their rents according to agreement, have been usually necessitated to call in the *Shroffs*, or bankers and money-changers, to their assistance.

Juggut Seat, the head of a Gentoo family of the Weaver tribe or cast, in the time of the Nabôb Jaffier Khawn, availed himself of this circumstance, which the succeeding times of confusion in the empire enabled him to improve, to the introduction of new customs at the Durbâr, in the department of the revenues, and to the raising and enriching of himself and his family. From a very inconsiderable origin, he became the most eminent banker in Hindostân; having his Shops and Gomâstahs established for the purposes of drawing and remitting in all the principal trading towns of the empire. This business in India, in times of public security, which are not likely soon to return, was advantageous beyond any thing that is known in Europe, as well from the *percentage* allowed upon the bills called *Hundyveaan*, as on the *Batta*, or exchange of rupees. By his Gomâstahs he was regularly and well informed of all momentous transactions in every part of the empire. This introduced him into the political intrigues of the Durbâr at Murshedabâd, where he and his family, some of whom still remain the shadows of their father's grandeur, lived with the retinue and magnificence of Princes.

By a juggle with the Nabôbs and officers of the mint and revenues, this great banker introduced a custom very injurious to circulation; which has been ever since practised, to the detriment of the country; and still continues, to the shame of the English East India Company. This was the introduction of a *Batta*, or *agio* upon the rupee called *Sicca*, which is a real coinage of standard silver according to the established laws of the late empire. The current rupee, so called by the English, is, like the pound sterling, a nominal specie, valued at sixteen per cent. *Batta* less than *Sicca*, for the conveniency, in adjusting accounts, of reducing the innumerable sorts of different rupees which have been introduced in all parts since the subversion of the empire. This *Batta* was nominally fixed, so that the *new-coined Sicca* rupee should circulate twelve months at full *Batta*, and then fall three per cent. under the denomination of *Hirfuns*, or *Siccas of various years*. At the expiration of the second year, they sunk again, under another denomination of *Sunotts*, the *Batta* of which was fixed at two per cent. less: so that what was *sixteen per cent.* the *first* year, was *thirteen per cent.* the *second*, and *eleven per cent.* the *third*: at which last denomination of *Sunotts* they remained, until re-coined into *Siccas*; subject nevertheless, like all other rupees, to such variations in the *Batta*, or *agio*, as the money-dealers could effect, from the plenty or scarcity of each particular species; for it was the English alone who, in their own settlements and in dealings only among themselves, used to adjust their accounts by the said established *Batta* of 16, 13, and 11 *per cent.* The variety of rupees introduced in different parts of the empire,

empire, is of such sort, that if a merchant of Murshedabad wants to purchase goods in any adjacent province, for ready money, it is necessary for him first to purchase of the money-changers in the Bazar, that sort of rupees which will best answer, or yield the least loss in the country where he intends to make his purchases; for even the Sicca rupees coined at the different mints at Patna, Murshedabad, or Calcutta, when carried out of the province in which they were coined, bear a *Batta*, or pass with a discount. Thus the trade in rupees has long been an extensive and complicated branch of business, and the *Batta*, which is a mischievous instrument in the hands of great exchange and money-dealers, was by the manœuvres of this artful *Shroff*, or banker, at Murshedabad, rendered a fund of infinite wealth to the family of the Seats, and remains yet an abuse uncorrected by the present governors of that country.

When the Zemindárs were distressed for a sum of ready money, or a bondsmán, in order, upon an emergency, to secure their farms, Juggut Seat was always ready. He likewise obtained the *Shroffing* \* of all the revenues; and upon occasion became answerable to the Subahdár, or Nabôb, at the instance of the Zemindárs, for such particular payments on account of their rents as they fell short in: for which he was well paid by a high interest on the sums he advanced. By these means he acquired an influence at the Durbár little inferior to that of the Nabôb himself: as instances of which, he was the chief instrument in the acquisition of Lord Clive's famous jagueer; and he amassed a fortune, as his countrymen calculate, of seven crores of rupees, or near nine millions sterling. Such were the profits at the Durbár; which the reader will be further enabled to guess at from the following relation of the practices which have been introduced and followed there, more or less, ever since.

Among the arrangements which took place upon Lord Clive's assuming the *Derwanee*, a son of this Juggut Seat, scarce eighteen years old, was appointed the Company's *Shroff*, and associated with Mahomed Reza Khawn and Doolubram, the persons mentioned in Mr. Sykes's letters already quoted, as officers on the part of the Company, for conducting the business of the province and the collection of the revenues. But notwithstanding all his Lordship's precautions in those appointments, they did neither put a stop to the irregularities which had taken so deep root, nor prevent that sudden acquisition of fortune which his Lordship and the Secret Committee had so very much at heart.

\* *Shroffing*, so called by the English in Bengal, is the examining, sorting and weighing the various sorts of rupees, to fix each to its distinct species, discard the refuse, and settle the *batta* upon all, according to the price of the day, in order to establish the value in standard, or *sicca rupees*.

When

When the term of the monthly payments agreed on becomes due, if the Zemindár has not his money ready in time, as is seldom the case, it has been customary for the officers of the collections, in all parts of the provinces under the Nabób, to charge him with three and one eighth *per cent.* *per mensem* interest upon the sum, for the time of his default in payment; exclusive of which, a deduction is likewise made from the sum paid in, of from three to eight *per cent.* under the denomination of *shroffage* upon the *Cutchá Amdány*. This *Cutchá Amdány*, which literally means the *gross import*, is the payment made by the Zemindár, consisting of the many various sorts of rupees as they come up from the Pergunnahs, before the Shroffs have *purified* them by their *batta*, to reduce them to the net sum of standard siccas, for which the Zemindár will have credit in the books of the Nabób's Cutcherry. Besides these allowances in the Bahár province, when the Zemindár has not been able to pay up in time his stated payment, the English Governor's Dewán has been known, in imitation of the old Jugget Seat, to take upon himself the amount of the payment due from the Zemindár, giving a receipt to the Nabób, called a *Paát*, for the amount, as paid into the English treasury there; and on this account the English Dewán receives from the Zemindár an allowance, called *Paatwān*, of ten *per cent.* upon the sum, for the use of his credit. In the mean time, if the Dewán is called upon for the money, his influence enables him easily to raise it among the Shroffs, to answer any pressing demand of the Company. Exclusive of this, it has been also customary in the same province to deduct five *per cent.* from the Zemindár's payments, under the head of *Russum*, *Dustore*, or *custom*, as a perquisite for the under Sircárs.

In cases of ravage, from the incursions of an enemy, devastations from the floods occasioned by the periodical rains, scarcity from the extraordinary drought of the season, or of any other public calamity, a proportionate deduction is made from the stipulated rents: and this also affords a spacious field for the exercise of Asiatic ingenuity in bribery and intrigue, from the Nabób down to the Ryot.

People are also frequently sent by the English, or *Government-mutsedees* into the Pergunnahs, under several different denominations; such as *Aumeens*, *Aumils*, &c. to examine accounts, measure land, value the crop, or to hasten and forward the collections; who always receive very considerable allowances from the Zemindárs, the amount of which is again levied upon the Ryots, or poor tenants in the districts they are sent to, besides large sums which they most commonly receive for concealing their discoveries. Here it must be remarked, that the above-mentioned allowances charged upon the monthly payments made by



the Zemindár, for the deficiency of which he must still fill up the sum of his stipulated payment, form the charge of a compound, or aggregate sum, much greater than the same would amount to if charged at once in a fixed sum per annum.

It is likewise the custom of the country, for *the government* to collect a fourth part, called *the Chout*, upon the amount of most judicial decisions in causes of *meum* and *tuum* between individuals at the Cutcheries, but particularly on the amount of bond debts; and this also is, in the present anarchical state of the country, a copious field for the Banyáns and other officers, in which they practise every species of roguery and intrigue.

But the greatest advantage of all, made by the principal officers of the revenue, has been the lending out their money, and not unfrequently the Company's, as their own, upon Tagabey, as already explained, at the rate of 35 and 40 per cent. *per annum*, for which they can securely repay themselves from the first monies coming in on account of the rents. We do not pretend to assert, that any of our English collectors have shared in this variety of perquisites, though that point might have been worthy of the enquiry of the late intended Supervisors; yet we cannot exculpate them, on the charge of employing *the Nabób*, and through him *the Zemindárs*, to take off the cotton of their very extraordinary monopoly of that commodity (treated of in our 14th chapter) as in fact this was neither more nor less than charging the revenues with the profits on the cotton, for the benefit of the owners, and to the ruin of the country and manufactures.

In short, so great, and so notorious have been the advantages to be gathered up *at the Durbár*, that even the Banyáns of junior English servants under the Resident, have thought it worth their while to pay twenty-five *per cent. per annum* for money to satisfy the calls of their masters, rather than lose their posts, while they have lent the money so raised, to their masters at the customary interest of ten *per cent. per ann.* and so great have been the irregularities in the business of the collections, that it has been a customary practice for the Zemindárs to pay twenty-five per cent. on the gross amount of their taxed rents, to particular persons of influence, for the loan of their names to protect them from exactions, or trouble *at the Durbár*, instances of which are within our knowledge. The writer of these sheets has even known a black collector, employed by the English in the Bahár province, of his own authority levy a tax of eight annas (or about fifteen pence) on every village in his province to indemnify himself for a ring which he had lost in the Cutcherry; which though a small tax on each village, yet when collected

collected upon all the villages in the province would amount to a very considerable sum.

In this situation of affairs, it must be obvious to the intelligent reader, that to the old abuses many new ones have been added, from the introduction of a new set of harpies upon the present change of government; as no prudent measures have been yet effectually adopted for the prevention of such abuses in the minutiae of business. And it must be equally obvious, that the encouragement so necessary for agriculture in Bengal is at present less than ever it has been; for the merchants and other men of property among the natives, for want of due security under this double government, dare not lend money upon *Tagabey*, as before, to the cultivators of the soil; nor dare the latter receive it from any others than the English collectors and Banyáns, which when they do, it is reluctantly; notwithstanding it is highly worthy of the attention of the Governors of the country to encourage the universal lending of *Tagabey*, as the best and perhaps only method practicable for reducing the exorbitant interest upon the poor husbandman.

It must be likewise obvious, that while such is the wretched state of the government in Bengal, the real amount of the revenues of those provinces can never be precisely traced through such an intricate labyrinth of fraud and deceit: nor will it ever be effected till a complete measurement be made of every district, and a just account taken of the land held by every Ryot. And whenever that is done, the lands paying no rents, held under the denominations of jagueers and charity-lands, will cut a most conspicuous figure. Of this the reader may form some notion, when he is informed, that during the Chieffship of Mr. John Johnstone in the province of Burdwán alone, after an odious scrutiny, which employed near seventy persons and lasted near eight months, that gentleman discovered 568,736 begas, making nearly a fifth part of the lands of the whole province, to have been alienated from the revenue, and possessed chiefly, upon fraudulent grants, by priests, superintendents of the revenue, and favourites; under the various titles of *Bazy Zemeen*, or charity-lands.

Under these circumstances, it may with the greatest truth be asserted, that the sum received by the Company's collectors at Murshedabad, after making all due allowances, has ever fallen greatly short of the amount actually paid by the Ryots, or original cultivators of the country. This, whether we consider the Company as the sovereigns and proprietors of the revenue, as they stile themselves, or as trustees for the public, is a matter worthy of the regard of stock-holders, and of the minutest attention of this nation. But the embezzlement of the revenues of Bengal

never will be effectually prevented, till capital punishments are inflicted upon embezzlers, whomsoever they may be. The blacks, by proper punishments being inflicted on two or three persons legally convicted of such embezzlements, would soon be awed into an honest practice: for the present dishonesty of the timid natives in those matters is perhaps more owing to the frequency of examples in their superiors, and to the total impunity of such crimes in Bengal, than to the villany of even those natives who have been most corrupted in European settlements. Such punishments however as would prevent it, at least in some degree, the Company are not, and perhaps cannot be legally impowered to inflict.

The Company have of late adopted a plan which the writer recommended to them, among other improvements in the year 1767, of stationing their covenanted servants to the superintendency of the collections at every principal Zemindâry, and appointing a board of revenue at Murshedabâd. Although the original springs of the former flourishing revenues in Bengal have been, of late years, so choaked up or destroyed as not easily to be restored; nevertheless by this new regulation, which it is strange was so long neglected, the Company will doubtless make a very considerable saving in the revenues, so far as respects the prevention of frauds and alienations; though much will be still wanting for putting the business of the collections upon a proper footing, and particularly for preventing the young English collector from also becoming the only merchant and supreme judge in the district under his superintendency, which the influence he acquires from such a station puts so easily in his power. It was a mistaken notion among the Directors, that the influence of a young servant, stationed in the interior country, would be inconsiderable, and therefore less pernicious than that of a Counsellor; for wherever a European is established in a public character, by the authority of the Company, whether a Writer or a Counsellor, he is equally styled by the natives the *Burra Sâhëb*, the Great Lord, or Governor. And the superior classes among them, even the country Râjahs and Zemindârs, have as yet but a strange conception of the English government; for there have been instances of a Râjah's offering one of his daughters for the seraglio of an English collector, upon the adjustment of his *Bundobust*. Nothing at the same time can shew in a stronger light the great influence of the English, and the abject state of dependence to which the natives are at present reduced, than an instance of this nature, so directly contrary to every tie that is held sacred by Gentoos.

The oppressions and monopolies in trade which have been introduced of late years, but particularly within the last seven (as treated of in our XIIIth and XIVth chapters) have been the principal causes of such a decrease in the real revenues of Bengal, as very shortly will be most severely felt by the Company. For the Ryots, who are generally both land-holders and manufacturers, by the oppressions of gomastahs in harrassing them for goods (as instanced in our XIVth chapter) are frequently rendered incapable of improving their lands, and even of paying their rents; for which, on the other hand, they are again chastised by the officers of the revenue, and not unfrequently have by those harpies been necessitated to sell their children in order to pay their rents, or otherwise obliged to fly the country\*.

Another obstacle to the improvement of the revenues in Bengal is the want, to both great and little land-holders, of a secure, and permanent possession of the lands; while the chawbuck and the caprice of a Governor are, in fact, almost the only laws for the decision of right. Thus situated, the renter, so far from venturing any part of his own real property in improving of farms which he is liable to be dispossessed of at any time for the benefit of others, does, on the contrary, entirely employ himself in making the most of all temporary advantages while he holds the lands, and cares not in what situation he leaves them to a successor.

Intermediate renters, or dealers, are every where, and in all things, those who make the greatest profits: and the permitting of so many ranks of superintendents and renters seems to have been a material error in the Hindostân policy; because, for the welfare of a state, the growers and consumers of provisions cannot possibly approach too near together.

\* Bengal affords a fatal example of the consequences of a country's being once depopulated from oppression, or violence done to the inhabitants; for a tract of 240 miles of sea-coast in the centre of the Company's possessions, from the island of Sundeeep to the island Sagor, which was abandoned by the inhabitants, on account of the ravages committed by the Mugg pirates about 145 years ago (and which has been repeated in a less degree in later times) remains to this day a desert, overgrown with wood, has become very unhealthy, and is now known only to its present inhabitants, the tigers and other wild beasts. Those banditti, under the King of Arracan, who by their means had at that time got possession of Chittigong and the island of Sundeeep, used to descend upon the Bengal islands in large fleets of armed boats, and make incursions for an hundred miles up the numerous rivers and creeks, which afforded them shelter; plundering and burning the villages, and making slaves of the inhabitants. This large tract, which is extremely fertile, and was also formerly as remarkably populous, is most conveniently situated for trade and navigation, as may be seen upon inspection of our map: nevertheless this important field for improvement, which now only in some places produces a little salt at the risk of the makers lives, has hitherto laid totally neglected by the Company, whose system, as of late conducted, has been by no means calculated to promote the general welfare of the country, or to grant, like good *Sovereigns*, their effectual protection to the inhabitants.

It remains to be seen, from the experience of future years, what salutary regulations the wisdom of Courts of Directors will enforce for the management of this branch, and the general improvement of the Bengal dominions: a concern of the utmost importance to the nation; and which, if properly attended to, we will venture to assert, the revenues of Bengal, as found by Lord Clive and Mr. Sykes in the year 1765, amounting, as by statement before given, to 3,630,676l. might easily, and without oppression to the inhabitants, have been improved by this time to *six millions sterling*; while, by an improper management, they have yearly fallen short of that very statement, and will most probably daily continue to grow worse, till an effectual system of reformation be established.

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### C H A P. XIII.

#### ON the late MONOPOLY of SALT, BEETLE-NUT and TOBACCO.

**W**E come now to consider a monopoly the most cruel in its nature, and most destructive, in its consequences, to the Company's affairs in Bengal, of all that have of late been established there. Perhaps it stands unparalleled in the history of any government that ever existed on earth, considered as a public act; and we shall be not less astonished when we consider the men who promoted it, and the reasons given by them for the establishment of such exclusive dealings in what may there be considered as necessaries of life.

When the Right Honourable Robert Lord Clive proposed returning to Bengal, as Governor of the East India Company's settlements, he wrote a \* letter to the Court of Directors, containing such sentiments as were best calculated to obtain their concurrence in his appointment, and to shew his own disinterestedness. Among other things, he gave them his opinion, " that it was the encroachments made upon the "*Nabôb's prescriptive rights*, by the Governor and Council, and the "*rest of the servants in Bengal trading in the articles of salt, beetle-nut* and tobacco, which had greatly contributed to hasten and bring on the troubles with the Nabôb Cossim Ally Khawn. That, therefore, as the trading in salt, beetle-nut and tobacco had been one cause of the

\* See the Letter at large in the *Appendix*, N° XLI. page 146, dated Berkeley Square, the 27th April 1764.

“ disputes which then had subsisted, his Lordship hoped, those articles  
 “ would be restored to the Nabob, and the Company’s servants abso-  
 “ lutely forbid to trade in them. This would be striking at the root of  
 “ the evil, tend to restore that œconomy which was so necessary in  
 “ the service of the Company, and serve to prevent the sudden acqui-  
 “ sition of fortunes that had of late taken place, and which, if not  
 “ put a stop to, the Company’s affairs must greatly suffer. And his  
 “ Lordship promised, as a means to alleviate in some measure the dis-  
 “ satisfaction that such restrictions upon the commercial advantages of  
 “ the Company’s servants might occasion in them, *that he would not*  
 “ *engage in any kind of trade himself*, but leave all commercial advan-  
 “ tages (the Governor’s portion of which used to be always very con-  
 “ siderable) to the servants, to be divided amongst themselves.”

His Lordship’s representations to the Directors, and his management among the proprietors produced the desired effect. He was nominated to the government of Bengal; and a Select Committee, consisting of his Lordship, Mr. William Brightwell Sumner, Brigadier General Carnac, also Messieurs Harry Verelst and Francis Sykes, was appointed, with full powers to pursue whatever means they should judge most proper, to attain the desirable ends of restoring and establishing peace and tranquillity in Bengal. And the orders which the Court of Directors were pleased to give upon the subject of this trade, in the letter to their Presidency at Bengal, which appointed the said Committee, dated the 1st June 1764, were the following.

“ You are hereby ordered and directed, as soon after the receipt of  
 “ this as may be convenient, to *consult the Nabob*, as to the manner of  
 “ carrying on the inland trade in salt, beetle-nut and tobacco, and the  
 “ other articles produced and consumed in the country, which may be  
 “ most to his satisfaction and advantage, the interest of the Company,  
 “ and likewise of the Company’s servants.

“ You are, therefore, to form a proper and equitable plan for carrying  
 “ on the said trade, and transmit the same to us, accompanied by such ex-  
 “ planations, observations and remarks as may enable us to give our  
 “ sentiments and directions thereupon in a full and explicit manner.

“ In doing this, as before observed, you are to have a *particular re-*  
 “ *gard to the interest and entire satisfaction of the Nabob*, both with re-  
 “ spect to *his revenues* and a proper support of *his government*; in  
 “ short, this plan must be settled with *his FREE will and consent*, and  
 “ in such a manner as not to afford any just grounds of complaint.”

The great advantage to be made in Bengal from a monopoly of these three articles of salt, beetle-nut and tobacco, was among the first which the manœuvre of the *Dewanee*, taken notice of in our IVth and VIth chapters, presented to his Lordship and his associate-reformers, and which they did not fail to avail themselves of. The Committee, therefore, soon lost sight of the orders and intentions of the Court of Directors, and, in contradiction to his Lordship's most solemn declarations, an universal public monopoly of those three articles was determined on: the profits of which were to be divided among themselves, and such others of the Company's servants as they thought proper. All the servants, down to a certain rank, were put upon the list without asking their concurrence, or acquainting them with the particulars of the plan. This, considering the monopoly even as a just establishment, was a manifest injury to several of the junior servants, who, from their own knowledge and industry, gained, in a fair way of trade, considerably more than the share allotted them by this system produced. Many wholly disapproved the plan, as far as they were acquainted with it; but it would have been dangerous to have publicly expressed their sentiments. They were made to sign a long indenture, authorizing the Committee of Trade to conduct the business, though they did not know the particulars of the plan. The person who had shewn any backwardness, would not only have been deprived of his private trade, but probably too have been dismissed the service. The proceedings on this occasion of the Select Committee will best shew the mode which was adopted to carry this plan into execution: they were *verbatim* as follows.

“ At a Select Committee, held at Fort William, the 10th August 1765.

“ P R E S E N T

“ William Brightwell Sumner, Esq; President, and

“ Harry Verelst, Esq;

“ In conformity to the Honourable Company's orders, contained in  
 “ their letter of the 1st June 1764, the Committee now proceed to take  
 “ under their consideration the subject of the inland trade in the article  
 “ of salt, beetle-nut and tobacco, the same having frequently been discussed  
 “ of at former meetings, and Mr. Sumner having lately collected the opinions of the absent members at large on every circumstance, it is now agreed and resolved, That the following plan for  
 “ conducting this trade shall be carried into execution, the Committee  
 “ electing

“ esteeming the same *the most correspondent to the Company's orders and conducive to the ends which they have in view*, when they require that the trade shall be put upon such a footing as may appear most equitable for the benefit of their servants, least liable to produce disputes with *the country government*, and wherein their own interests and *that of the Nabób* shall at the same time be properly attended to and considered.

“ First, That the whole trade shall be carried on by an exclusive company formed for that purpose, and consisting of all those who may be deemed justly intitled to a share. That a proper fund shall be raised by a loan at interest for the supply and support of the same, and that it shall commence in the month of September ensuing, or as soon after as may be found most convenient.

“ 2dly, That the salt, beetle-nut and tobacco produced in or *imported into Bengal* shall be purchased by this established company, and public advertisements shall be issued, strictly prohibiting all other persons whatsoever, who are dependent on our government, to deal in those articles.

“ 3dly, That application shall be made to *the Nabób* to issue the like prohibition to all his officers and subjects of the districts where any quantity of either of those articles is manufactured or produced.

“ 4thly, That the salt shall be purchased by contract, on the most reasonable terms, giving the preference to the factories of Dacca, Chittigong, Burdwan and Midnapore, for the produce of their respective districts, to the Fowzdár of Hoogly and the other Zemindárs for the produce of Ingelee, Tumlook, Mysadell, &c. and to such persons as may offer the most reasonable proposal for the quantity produced in the Calcutta lands.

“ 5thly, That the beetle-nut and tobacco shall, in like manner, be purchased by contract, under such terms and conditions as upon proper enquiry shall appear to the managers to be most conformable to the interest of the concerned.

“ 6thly, That the contractors for the salt shall agree to deliver it at certain fixed places, at a stipulated rate per one hundred maunds, comprehending such an advance upon their contracts with the Zemindárs and \* Molunguees, as may be esteemed an equivalent to their risk, trouble and bad debts.

“ 7thly, That as the advances will be made by the contractors to the Zemindárs, &c. at certain periods of the season, in the usual man-

\* The poor labouring people at the salt-pans.



“ner, so shall the advance from the public company to the contractors be made in proportion thereto.

“8thly, That the salt, beetle-nut and tobacco, thus purchased by the public company, shall be transported to a certain number of places for sale, to be there, and there only *disposed of by their agents*; and that the country merchants may then become purchasers, and again transport those articles whither they think they have the greatest prospect of profit. That by this means not only the *frequent oppressions the inhabitants of the country have suffered, by Europeans having permission to traverse to every place for the sale of those commodities*, will be put a stop to; but by thus reserving to the natives and merchants a competent share of the profits both in the purchase and sale, we may hope for the good effect of removing *the general odium that has prevailed from our seeking to deprive them of every part of that trade*.

“9thly, That as it is apprehended some difficulty will arise in securing the produce of the Dacca and Chittigong districts, by reason of the property of the lands being scattered in a number of hands, all dependent *on the government*, it is agreed, that application be made *to the Nabób* for perwānahs on the several Zemindárs of those districts, as well as those of Hoogly, &c. strictly ordering and requiring them to contract for all the salt that can be made on *their lands, with the English alone*, and forbidding the sale to any other person or persons whatsoever.

“10thly, That the Honourable Company shall either share in this trade as proprietors, or receive an annual duty upon it, as may appear to be most for their interest, when considered with their other engagements and demands at this presidency.

“11thly, That the Nabób shall in like manner be considered as may be judged most proper, either as a proprietor, or by an annual nuzerānah to be computed upon inspecting a statement of *his duties* on salt in former years.

“12thly, That the manner in which the Honourable Company and the Nabób shall be considered, being once determined, the remainder of this trade shall be divided amongst the Company's servants arranged under certain classes, and each class to share a certain proportion of the capital stock.

“13thly, That a committee of trade shall be appointed to receive the management of this plan and prosecute the same in all its branches, and that they shall be immediately authorised to take measures for raising the fund at interest, and to receive proposals and

“ settle the contracts ; and further, that for their assistance in the work  
 “ a person shall be appointed in the quality of their secretary and ac-  
 “ comptant.

“ The foregoing resolutions the Select Committee judge will be found  
 “ a sufficient ground-work for commencing this trade, to be improved  
 “ hereafter as circumstances may occur and direct ; and it is therefore  
 “ agreed, that they be delivered over to the committee of trade as soon  
 “ as they are appointed, with instructions to proceed in raising the  
 “ money and making the contracts.

“ The points contained in the 10th, 11th, and 12th regulations, as  
 “ their not being adjusted need be no impediment to the prosecution  
 “ of the business, so the committee esteem them of so much importance,  
 “ that the settlement of them should be delayed until the absent mem-  
 “ bers return to Calcutta, and they can be deliberated on at a full  
 “ committee. Agreed, therefore, that the committee of trade be also  
 “ advised of this resolution, and that they shall be hereafter informed  
 “ of the distribution which may be settled, with any other regulations  
 “ which may occur relative thereto for their government.

“ Mr. Sumner acquaints the Committee, that being apprised of the  
 “ intention contained in the 3d and 9th regulations, he desired Mr.  
 “ Sykes, when he lately went up to Murshedabâd, to apply to the Na-  
 “ bôb for the necessary perwânahs for authorising and facilitating this  
 “ trade, and that he has accordingly received from that gentleman  
 “ perwânahs for this purpose, being one hundred and six in number \*,  
 “ the same he now presents to the Committee, together with several  
 “ papers of information which he has collected, regarding the produce  
 “ of the different districts, and the conditions that salt can be contracted  
 “ for.

“ Ordered, That they be delivered over to the committee of trade,  
 “ for their guidance.

“ Taking now into consideration the appointment of this committee  
 “ of trade, the Select Committee are of opinion, that it should be com-  
 “ posed of two members of their body and two gentlemen of the Council.

“ Agreed therefore, that we *recommend* to the Council to appoint  
 “ two of their members to be joined with two of the Committee, to  
 “ constitute this board and receive charge of the plan ; and at the same  
 “ time to appoint a proper person to the office of secretary and ac-  
 “ comptant.”

\* So easy is our Nabôb on such occasions, that we here see 106 grants or orders obtained on a simple application from one of the gentlemen of the committee, before the regulations were adjusted.

Thus far being settled, publications were made in different languages, and posted up in several parts of the town, of one of which the following is a true copy.

ADVERTISEMENT. " The Honourable the Court of Directors having thought proper to send out particular orders for *limiting* the inland trade, in the articles of salt, beetle-nut and tobacco, the same is now to be carried on, *in conformity to those orders*, by a public society of proprietors, to be formed for that purpose ; and an exclusive right to the trade of those articles will be vested *in this society*, by an authority derived from the Company and from THE NABÔB ; all manner of persons dependent upon the Honourable Company's government are hereby strictly prohibited from dealing in any respect, directly or indirectly, in the articles of salt, beetle-nut or tobacco, from the date hereof; that is to say, that they shall not enter into any new engagements, unless as contractors, either for the purchase or sale of those articles, with the society of trade."

Shortly after, another Select Committee was held upon the subject of this monopoly, of whose proceedings the following is a copy, viz.

" At a SELECT COMMITTEE held at Fort William the 18th September 1765.

" Present,

" The Right Honourable Lord Clive, President.

" William Brightwell Sumner,

" John Carnac,

" Harry Verehst, and

" Francis Sykes,

} Esquires.

" Resuming the consideration of the plan for carrying on the inland trade, in order to determine with respect to the company and the classes of proprietors, the Committee are unanimously of opinion, that whatever surplus-monies the Company may find themselves possessed of, after discharging their several demands at this presidency, the same will be employed more to their benefit and advantage in supplying largely that valuable branch of their commerce, the China trade, and in assisting the wants of their other settlements, and that it will be more for their interest to be considered *as superiors of this trade*, and *receive a handsome duty upon it, than to be engaged as proprietors in the*

" stock.

“ *stock.* Bestowing therefore all due attention to the circumstance of  
 “ the Company’s being at the same time the head and masters of our  
 “ service, and now come into the place of the country-government by his  
 “ Majesty’s royal grant of the *derwanee*, it is agreed, that the inland-  
 “ trade of the above articles shall be subject to a duty to the Company,  
 “ after the following rates, which are calculated according to the best  
 “ judgment we can form of the value of the trade in general, and the  
 “ advantage which may be expected to accrue from it to the pro-  
 “ prietors.

“ On salt, *thirty-five per cent.* valuing the hundred maunds at the  
 “ rate of *ninety Arcot rupees*, and in consideration hereof the present  
 “ *callary-duty* to be abolished.

“ On beetle-nut, *ten per cent.* on the prime cost.

“ On tobacco, *twenty-five per cent.* on ditto.

“ By this calculation we hope may be produced a clear revenue to  
 “ the Company of at least one hundred thousand pounds sterling *per*  
 “ *annum*; and should it appear, upon further experience of the trade,  
 “ that the profits will admit of an increase in these rates of duties, we  
 “ hereby resolve, that a fair and impartial representation of the same  
 “ shall be made to our Honourable Masters, in order to receive their  
 “ directions; as it is our fixed determination to render them all pos-  
 “ sible satisfaction in this point.

“ With respect to the proprietors it is agreed and resolved, that they  
 “ shall be arranged into three classes; that each class shall be entitled  
 “ to so many shares in the stock, and that a certain capital stock shall  
 “ be agreed upon, in order to ascertain the value of each share.

“ According to this scheme it is agreed, that class the first shall con-  
 “ sist of the governor; five shares; the second, three shares; the ge-  
 “ neral, three shares; ten gentlemen of the council, each two shares,  
 “ twenty shares: two colonels, each two shares, four shares: in all  
 “ thirty-five shares for the first class.

“ That class second shall consist of one chaplain, fourteen junior  
 “ merchants, and three lieutenant-colonels, in all eighteen persons,  
 “ who shall each be entitled to one third of a counsellor’s proportion,  
 “ or two thirds of a share, which makes in all twelve shares for the se-  
 “ cond class; we mean always to include in this number such junior  
 “ merchants as the Company have thought proper to fix in their ser-  
 “ vice, who, as well as the factors in the next class that may be re-  
 “ strained from rising as covenanted servants, shall however be entitled  
 “ to their full share of the advantages of this trade.

“ That class third shall consist of thirteen factors, four majors, four first surgeons at the presidency, two first surgeons at the army, one secretary to the council, one sub-accomptant, one Persian translator, and one sub-export warehouse-keeper; in all twenty-seven persons, who shall each be entitled to one sixth of a counsellor’s proportion, or one third of one share, and which makes in all eight \* shares for the third class.

“ It is necessary however to be observed, that by this arrangement it is intended, and it is hereby accordingly ordered, that twelve shares in this trade shall be allotted to eighteen persons, composed of the first senior and junior merchants, lieutenant-colonels, and chaplain or chaplains; all exceeding that number in these ranks must stand excluded until they can be included in it: and chaplains, be they more or less, to be reckoned only as one senior or junior merchant. That eight shares in this trade shall in like manner always be allotted to twenty-four persons composed of the senior factors, majors, surgeons, and the three officers above specified: all exceeding that number of those ranks are not to share till they can be included in it.

“ The Committee have thus settled the arrangement of the classes and the shares in the stock, but they leave to the committee of trade to ascertain the amount of the capital, as they must be the most complete judges of what fund will be required.

“ That the trade may meet with no interruption, and for the better regulating the same, the committee of trade may from time to time form bye-laws, which having been communicated to, approved and signed by the body of proprietors, they (the committee) shall be empowered to enforce and carry into execution.

“ That the books of the society shall be opened the first of every September, and closed the 31st of the following August. That for the present year all persons who shall from this time be deemed proprietors, and whose names shall be enrolled by the committee of trade, agreeable to this scheme of distribution, shall be entitled to their proportion of profits arising on the trade during the course of the year, whether absence or death should ensue; and so in all future years, after the names of the persons who compose the classes shall have been regularly enrolled.

\* Here the Committee’s calculation was erroneous. It was afterwards altered, and this class was made to consist of twenty-eight persons, at one third of a share each, making in all nine shares and one third.

“ Resolved,

“ Resolved, That no person shall share in a double capacity, and  
 “ receive a benefit at the same time from his rank in the service, and  
 “ also from such employment as he may happen to enjoy.

“ Ordered, That a copy of these proceedings be prepared and laid  
 “ before the Council, that they may transmit the same, with their di-  
 “ rections, to the committee of trade.”

The reader will doubtless remark, that among the plausible reasons alledged for the establishment of this monopoly, it was said to be intended as a means to prevent the oppression of the inhabitants of the country; to remove the general odium which had prevailed of the English seeking to deprive them of every part of their trade, and to render all possible satisfaction to the Court of Directors.

Extraordinary as were those effects pretended to be *expected* from such extraordinary measures, we shall not be less astonished at the private reasons which were assigned for this establishment by Lord Clive, in his separate letter upon the subject to the Court of Directors. — They are as follow.

Par. 16. “ The necessity of rewarding the superior servants, both  
 “ civil and military, is obvious, since the large investment required by  
 “ the Company makes it impossible for individuals who perform their  
 “ duty to acquire any thing considerable by private trade. The means  
 “ of regulating this reward have frequently employed my attention,  
 “ and after the most mature deliberation, I have found none so con-  
 “ venient, proper, or equitable as the trade in salt. If you grant a  
 “ commission upon the revenues the sum will not only be large but  
 “ known to the world. The allowance being publicly ascertained,  
 “ every man’s proportion will at all times be the occasion of much dis-  
 “ course, envy and jealousy. The Great will interfere in your appoint-  
 “ ments, and noblemen will perpetually solicit you to provide for the  
 “ younger branches of their families. A commission upon your in-  
 “ vestment, whether upon the provision in Bengal, or the sales in Eu-  
 “ rope, is liable to the same objections. But if you allow your servants  
 “ the liberty of benefiting themselves by the trade in salt, the following  
 “ conveniencies will result.

Par. 17. 1<sup>mo</sup>. “ An advance of four hundred thousand or five hun-  
 “ dred thousand pounds is required for carrying on the trade. If it  
 “ be carried on by your servants, the advance and the risk will be  
 “ theirs: if it be carried on by you, the money must be advanced out  
 “ of the treasury, at your risk, and you will consequently have the  
 “ less *specie to send home*.

Par. 18. 2<sup>da</sup>. “ It is very easy to proportion it in such a manner that  
 “ your servants shall not gain to a larger amount than they are in justice  
 “ and equity entitled to.

Par. 19. 3<sup>to</sup>. “ By the bringing it to Calcutta and Dacca, and by the  
 “ loss of boats, by the failure of contractors and many other accidents,  
 “ the profits must always be precarious and uncertain, and conse-  
 “ quently unknown, except to the few who may take the trouble to  
 “ investigate the matter.

Par. 20. 4<sup>to</sup>. “ It will be looked upon as a profit arising from trade, and  
 “ not from the *pockets of the Company, which might be urged, if rewards*  
 “ *were given out of the revenues.* But here you can assert, that this in-  
 “ dulgence, the only equitable one you have to grant, is in considera-  
 “ tion of the large investments ordered, which, if complied with, must  
 “ swallow up the trade of individuals; and indeed if this indulgence  
 “ be properly proportioned, all these servants, who by their age and  
 “ standing are entitled to emoluments, would have no reason to com-  
 “ plain, even were they altogether excluded from every article of trade  
 “ which can interfere with the Company’s investments.

Par. 22. “ It is an erroneous opinion, that salt was formerly an open  
 “ trade, it ever was, and ever must be a monopoly. Some great favourite\*,  
 “ or favourites always had the whole in their own hands, for which he  
 “ not only paid an annual Peshcúshi, or acknowledgment in money to  
 “ the Subah, but likewise gave considerable presents both in money and  
 “ curiosities to him and to his ministers. But the natives can have no  
 “ just cause of complaint, provided they be furnished with this article  
 “ more reasonably than formerly, which *will certainly be the case*, if the  
 “ plan sent home by The Cruttenden be adopted with a few amend-  
 “ ments.”

And in the † general letter from the Select Committee of Calcutta to  
 the Court of Directors, dated the 30th September 1765, signed by the  
 Right Honourable Lord Clive, William Brightwell Sumner, John Car-  
 nac, Harry Verelst, and Francis Sykes, Esquires, after a more mature  
 consideration of this business, they give their sentiments in the fol-  
 lowing words.

Par. 32. “ By consulting our proceedings of the 10th August and  
 “ 18th September 1765, you will be able to judge of the progress we  
 “ have made in carrying your orders into execution relative to the trade

\* In the time of the Nabób *Allaverdy Kháun*, his favourite, *Cogee Wazeed*, was irregularly allowed to farm the trade in salt but that merchant sold his salt then at *five hundred per cent.* cheaper than it was sold by this Committee after the establishment of the monopoly now under consideration.

† See AUTHENTIC PAPERS, page 97.

" in salt, beetle-nut and tobacco. This subject we considered with  
 " all the attention possible, and regard to your interest and the good  
 " of the service. *We found, that to remove the inconveniences of a free*  
 " *trade, prevent the oppressions daily committed, save this valuable*  
 " *article of commerce from ruin, and diffuse the benefits resulting, indif-*  
 " *criminately, among all your servants intitled to duffucks, it was ne-*  
 " *cessary to vest the whole in an exclusive Company."*

The Select Committee having formed those regulations for the carrying on of this trade, Mr. Sumner, Mr. Verelst and two other gentlemen of Council were accordingly constituted a *Committee of Trade*, for receiving charge of the plan and managing it, on behalf of the body of proprietors; with authority to correspond with the subordinate factories, and to pursue all such measures as might, conformably thereto, appear to them eligible and proper. And the necessary advices and orders were accordingly given to the subordinates, and publications of prohibition were issued throughout the provinces.

The capital stock appointed by the Select Committee to be raised for carrying on this trade, originally was current rupees 2,422,333—5—4, or, at 2s. 6d. per current rupee, 262,420l. sterling; which was divided into  $56\frac{1}{2}$  shares of 43,000 current rupees each share, and the profits which might arise were appointed to be proportionably distributed as follows.

	Persons. Shares each. Total Shares.				Capital Stock
To the Right Hon. L.Clive	1	5	5	215,000	
William Brightwell Sum-					
ner, Esquire, - - -	1	3	3	129,000	
General Carnac - - -	1	3	3	129,000	
To ten Counsellors and					
two Colonels - - -	12	2	24	1,032,000	
					1,505,000 0 0
To Chaplain, senior and					
junior Merchants, and					
Lieutenant Colonels -	18	$\frac{2}{3}$	12	516,000 0 0	
To Factors, Majors, and					
Surgeons - - - -	28	$\frac{1}{3}$	$9\frac{1}{3}$	401,333 5 4	
Persons	61		$56\frac{1}{2}$	Current rup.	2,422,333 5 4

The farce of using *the Nabib's* name was thought convenient to be played, as is usual in all dark acts of this double government. The reader



reader will have perceived, as well in the proceedings of the Committee as in the foregoing English advertisement, that *this Nabôb*, if he must be so called, is introduced as joining with the Committee, and consenting to the ruin of *his subjects*, the poor people of the country, who could not, for that reason, pretend to, or entertain even a hope of redress.

This Nabôb, therefore, was actually made to issue orders to all the Zemindárs, or hereditary land-holders of the country, to attend at Calcutta, and enter into bond, to trade with the Committee only. An order of the Committee \*, to the same purpose, went forth at the same time: and the Zemindárs were forced to repair to Calcutta, and enter into bonds accordingly: of which orders and bonds the following are copies.

TRANSLATION, from the Persian, of the Nabôb's order to one of the Zemindárs of the country, dated the                      of Saffer, or the August 1765.

“ To the gomástah of Luckynarain, Chowdry of the Pergúnnah of Jollamootah. BE IT UNDERSTOOD, that a *request has been made by the Governor and the gentlemen of the Committee and Council*, to this purport, “ that until the contracts for salt of the said gentlemen are settled, no salt shall be made, or got ready in any district; that a gomástah be sent to attend on the said gentlemen, and having given a bond, he may then proceed to his business, and make salt; but till the bond be given to the Governor and the gentlemen of the Committee and Council, they should make none.” THEREFORE, this order is written, that you send, without delay, your gomástah to the said gentlemen in Calcutta, and give your bond, and settle your business; and then proceed to the making of salt. In case of any delay, it will not be for your good. Regard this as a strict order.”

TRANSLATION, from the Persian, of an order to one of the Zemindárs, under the seal of the Committee.

The Seal of	The English Society of Merchants for buying and selling all the Salt, Beetle-nut and Tobacco in the Provinces of Bengal, Bahár and Orissa, &c.	the Committee.
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\* See Mr. VANSITTART's Letter to the PROPRIETORS of EAST INDIA STOCK, printed for J Neuberger, 1767, page 90.

" TRUSTY AND WELL BELOVED, Anundelal, we greet you well. Whereas it has been resolved, that whatever salt shall be procurable in the salt works of the Subahship of Bengal, &c. the trade thereof shall be referred to the English Sircár \*, and shall not be meddled with by others; to which purpose a Perwánah from his Excellency, the Nabób, has issued.

" Therefore this order is written, that the moment it reaches your hands you are to send a Vakeel and a trusty Gomástah, that he may come here and receive the Nabób's Perwánah, and act in obedience to the same, and settle the trade of your salt with the governor and the gentlemen."

TRANSLATION of one of the Mutchulcahs, or obligatory bonds, taken from the Zemindárs.

" I Jadooram, Chowdry of the Pergúnnah of Deroodumna, in the district of Ingellee, agreeably to an order which has issued from the Nabób to this purpose, " That I should attend upon the Gentlemen of the Committee and Council, in order to settle my trade in salt; and that I should not deal with any other person;" do accordingly oblige myself, and give this writing, that, excepting the said gentlemen called *The English Society of Merchants for buying and selling all the salt, beetle-nut and tobacco in the provinces of Bengal, Bahár and Orissa, &c.* I will on no account trade with any other person for the salt to be made in the year 1173 (Bengal style); and without their order I will not otherwise make away with, or dispose of a single grain of salt; but whatever salt shall be made within the dependencies of my Zemindáry, I will faithfully deliver it all, without delay, to the said society, and I will receive the money according to the agreement which I shall make in writing; and I will deliver the whole and entire quantity of the salt produced, and, without the leave of the said Committee, I will not carry to any other place, nor sell to any other person a single measure of salt. If such a thing should be proved against me, I will pay to the Sircár of the said society a penalty of *five rupees for every maund*. IN WITNESS whereof I have written this, by way of obligation. Dated the September 1765."

Orders of this kind were issued to all the Rájahs and Zemindárs of the Pergúnnahs where salt was to be had; by virtue of which the produce of the whole country was engrossed by the Committee, who paid

\* State, or government. Here it means the Company.

at the rate of 75 *rupees per 100 maunds*, for what was sold in many places for upwards of 500 *rupees per 100 maunds*; which in effect was making a poor inhabitant pay at the rate of  $6\frac{1}{4}$  *rupees* for a quantity of salt which, in the common course of the trade, he would have bought for one *rupee*.

The extraordinary shares of the profits of this public monopoly to which the Select Committee-gentlemen helped themselves, were not the only advantages they reaped from it. From the regulations which they, in their Select Committee, had previously agreed upon, they were first apprized of the sudden effects which those regulations could not fail of producing, in raising the price of salt all over the country. They, therefore, availed themselves of this fore-knowledge, and established a private society, among themselves, for buying up as much as they could of the ready-made salt, which lay dispersed in different parts. Mr. Verelst, who conducted this separate concern, and was one of their Committee, under the cloke usually assumed on such extraordinary occasions, of its being *for the benefit of the Company's affairs*, was (at his own recommendation) appointed to a new and unprecedented employment, that of \* Supervisor of the provinces of Burdwan and Midnapore, where great quantities of salt are produced. This gave Mr. Verelst an opportunity of associating himself with the junior servants under him at Burdwan, in a contract for delivering to the Committee all the salt produced in that province, which he accordingly did; as may be seen in the copy of an indenture executed with the Committee upon this occasion, in our *Appendix*, N° XLII. page 151.

The concerned in the said private society, which was very extensive in its operations, were the Right Honourable Lord Clive, William Brightwell Sumner, General John Carnac, Harry Verelst and Francis Sykes, Esquires, as will appear, on examining N° XLIII. of our *Appendix*, page 158, which is a copy of an original indenture of assignment, executed by his Lordship, upon selling out his own shares in the public and private societies.

No means were neglected, by the gentlemen concerned in this private society, to engross the whole of the ready-made salt in the country: and such methods were sometimes taken by their agents, or gomastahs, as necessitated the owners to part with what salt they had on hand for whatever their agents were pleased to offer. And though, as we have shewn in the XIVth chapter, the interest of the country and Company were alledged on other occasions to be greatly injured by permitting

\* See AUTHENTIC PAPERS concerning INDIA AFFAIRS, pages 89. 170. 187, &c.

European agents to reside in the inland parts of the country, nevertheless, upon the present occasion, those pretended inconveniencies were overlooked; and, in consequence of an application from the Committee of Trade to the Select Committee, several gentlemen were appointed and stationed at the following different places, as agents for the sales of the Committee's salt, beetle-nut and tobacco; viz.

Messieurs Charles Bloomer,	- - -	at Dinagapore,
Pitt Lethieulier,	- - -	Durbunga,
Hugh Baillie,	- - -	Gualparah,
Thomas Lewis,	- - -	Rungpore,
William Bensley,	- - -	Carangolah,
John Robinson,	- - -	Nabobgunge,
James Hargrave,	- - -	Chilmay,
John Corfar,	- - -	Silhettand Patna,
William Semple,	- - -	Rajabarry,
Abraham Leslie,	- - -	besides others,

who were sent to Backergunge and Nabobgunge to build boats.

The gentlemen concerned in the private society did not fail to avail themselves of the services of these agents of the public monopoly, for the disposal of their private salt. In consequence of an application for that purpose from the partners in the Committee of Trade below, to the partners in the Select Committee above, licence was easily obtained, as may be seen by the following short proceedings upon the occasion.

“ At a SELECT COMMITTEE, held the 9th January 1766;

“ Present, The Right Honourable Lord Clive, President;

“ William Brightwell Sumner, Esq; and

“ Brigadier General Carnac.

“ Received a letter from the Committee of Trade, requesting leave  
“ for their agents to dispose of the balances of salt belonging to *private*  
“ *merchants*, now on hand, which they imagine will conduce to the  
“ interest of the society.

“ Agreed, we acquaint the Committee of Trade, that we grant their  
“ request, *in consideration they think it will be a public benefit.*”

The estimate of the profits arising upon the first year's trade of this public monopoly, which among other India papers was laid before the Honourable House of Commons, in the year 1768, was greatly under-

rated. The real net profits on the first year's stock which have been actually received by the concerned, down to the month of December 1770, exclusive of their shares of large out-standing debts still coming in, have been nearly as follow ; viz.

	Persons.	Shares each.	Total Shares.		Net profit of the first year's capital
The Rt. Hon. Rob. L. Clive	1	5	5	£. sterling	21,179 4 0
W. Brightw. Sumner, Esq;	1	3	3		12,707 10 0
General Carnac	1	3	3		12,707 10 0
Ten Counsellors and two Colonels	12	2	24		101,660 4 0
Chaplain, senior and junior Merchants, and Lieutenant Colonels	18	$\frac{2}{3}$	12		50,830 2 0
Factors, Majors & Doctors	28	$\frac{1}{3}$	9 $\frac{1}{3}$		39,534 10 0
Persons	61		56 $\frac{1}{3}$	£. sterling	238,619 0 0

The Court of East India Directors repeatedly, and in the strongest terms, forbade this monopoly in salt, beetle-nut and tobacco; and particularly in their General Letter to Bengal per the Lord Camden, dated the 19th February 1766, wherein they positively directed their Governor and Council to make a formal renunciation, by some solemn act to be entered on their records, of all right to trade in those articles; directing their said Presidency to transmit such renunciation in form to the Nabob, in the Persian language, with adding these express words: "Whatever government may be established, or whatever unforeseen occurrences may arise, it is our resolution to prohibit, and we do absolutely forbid this trade in salt, beetle-nut and tobacco."

In all their subsequent letters they continued to repeat this prohibition, giving as their sentiments, that "such innovations and illegal traffic had laid the foundation of all the bloodshed, massacres and confusion which had happened in Bengal."

Upon receipt of these repeated orders from England, the Right Honourable President and the Gentlemen of the Select Committee took them again into their serious consideration. However, they did not proceed to abolish the monopoly, but determined upon continuing it for another year; wisely increasing the duties to be received upon the trade by the Company to such an amount as might either secure their consent and approbation of the system from the magnitude of the sum, or their connivance at it, so far as to prevent retrospects, from the difficulties

difficulties of refunding, and of being themselves so deeply involved in the plan,

As the reasons which were given for this continuation of the monopoly are no less curious than those which were given for its original establishment, and will best speak for themselves to the intelligent reader, we shall give them at large from the original proceedings.

“ At a Select Committee, held the 3d September 1766.

“ Present, The Right Honourable Lord Clive, President;

“ Brigadier General Carnac, and

“ Harry Verelst, Esquire.

After mentioning, that the Court of Directors had recommended to his Lordship, to consider of a plan for settling the salt trade, his Lordship proceeds in his minute as follows. “ By all their letters “ of last year, and by several of this, the Directors still seemed inclined “ to wait for our representation, but by their letter of the 19th February last, by the Lord Camden, they positively forbid their servants “ to have any concern whatsoever in this trade. At that time indeed “ they could not have had the least idea of *the favourable change in the “ affairs of these provinces, whereby the interest of the Nabob with regard “ to salt is no longer immediately concerned.* When we first took this “ important matter into consideration, I joined in opinion with the rest “ of the Committee, *that if the trade could be put upon such a footing; “ that the Nabob should receive more than had been received by any of his “ predecessors, the Company be amply considered, the natives become purchasers upon terms full as reasonable as in former times; the servants “ might be indulged in the privilege, under such certain rules and restrictions as would make the trade carry with it as little as possible the “ odious form of a monopoly.* These points having been settled, I consented to the plan laid down last year; my absence from the Presidency, the multiplicity of affairs then in agitation, wherein the peace “ and tranquillity of the provinces, the interest of the Company, and “ the honour of the nation were more immediately concerned, prevented my paying that attention I could have wished to that important object. *Although by the acquisition of the Dewannee, the whole “ of the duties belong to the Company, and by the diligence and zeal of “ the Members of the Committee of Trade, many useful reformations “ had taken place, yet from my observations, when I was last up the “ country, and from the heavy complaints against Europeans for the* “ monopoly

“ *monopoly of trade in general*, I find that the industrious native is still  
 “ deprived of that share to which he has an undoubted and more na-  
 “ tural right; nor is it yet upon that equitable footing which *justice* as  
 “ well as *humanity* would incline *this Committee* to establish. A few  
 “ weeks more must bring us the final resolution of the Court of Direc-  
 “ tors, in answer to our dispatches by the Admiral Stevens, and if,  
 “ notwithstanding the present situation of their affairs, they should  
 “ think proper to repeat their orders per Lord Camden, it will be our  
 “ duty to obey them, and I am persuaded they will be obeyed by this  
 “ Committee: but if, on the contrary, upon receipt of our representa-  
 “ tions, they should change their sentiments, and approve of the regu-  
 “ lations we have already made, no time should be lost on our part in  
 “ establishing the mode for carrying on the trade in future. *The con-*  
 “ *fidence which the Directors have been pleased particularly to express in*  
 “ *my endeavours to settle, upon an equitable plan, that trade which has*  
 “ *been the source of so many evils*, cannot but promote my zeal for the  
 “ cause, and make me anxiously wish to see every regulation that you  
 “ may join with me in thinking necessary to take place.

“ The Company’s duties I beg leave to propose shall be *increased* ;  
 “ the servants still receive a reasonable share of emolument, and the  
 “ terms upon which the natives are finally to be concerned, advan-  
 “ tageously fixed.

“ 1st. That all salt provided by the Society of Trade shall be sold at  
 “ Calcutta, and at other places where it is made, and no where else.

“ 2d. That the price of salt shall not exceed two rupees per maund,  
 “ or 200 for 100 maunds.

“ 3d. That the salt shall be sold to the natives only, who are to  
 “ transport it to every part of Bengal, Bahár and Orissa, and to have  
 “ the whole profits arising from the sale thereof, and that no Company’s  
 “ servant, free merchant, or European shall be concerned in that article  
 “ directly, nor indirectly.

“ 4th. That the Calcutta and black merchants shall be limited to a  
 “ certain proportion of purchase, but that no *Banyáns*, or *servants* what-  
 “ ever belonging to any European, shall be included or have any con-  
 “ cern therein.

“ 5th. That every endeavour be made use of to encourage the sub-  
 “ stantial merchant either to come down in person to the place where  
 “ the salt is provided, or to send their agents, in order to purchase or  
 “ transport their salt to the different places of sale.

“ 6th. That a certain price be fixed for the sale of every maund of salt at every town, market, or village, where the salt is sold, according to the distance and former custom.

“ 7th. That if salt be sold at any of the Bazárs or markets for one cowry above the stipulated price, the vender shall not only forfeit all the salt there found in his possession, but be liable to a forfeit of one thousand rupees for every hundred maunds of salt so sold; and the money so forfeited shall go, one half to the informer and one half to the government.

“ 8th. That the ministers at Murshedabád and Patna have copies sent them of these new regulations, and that they be desired to apply to the Nabób to make the same known throughout the three provinces; and that every Fowzdár, &c. see that they be put in execution, upon pain of being dismissed from their employments.

“ 9th. This business being entirely commercial, I propose that in the instrument of agreement for next year it shall be provided, that the Society of Trade be answerable to the Board for their conduct; that the Board may either make new regulations, or amend those made by the Society of Trade, as they see fit, and that, in case of necessity, the Select Committee shall have power to controul the whole.

“ 10th. That a duty of 50 per cent. be paid to the Company upon all the salt provided on their own lands, and 50 per cent. to the government upon all the salt provided upon the lands of the government, and 15 per cent. upon beetle: which duties will in fact be brought to the Company's credit, which, according to the present state of the salt trade will produce the Company from 12 to 13 lacks of rupees per annum.

“ The prohibition of a free inland trade, however disagreeable to individuals, must now take place, and be confined to imports and exports, and their immediate returns, which returns shall be made only to the presidency, or to one or other of the established factories. The Company are Sovereigns in India: and they have declared, that the trade carried on for these four years past is an usurpation, not only of their prerogative, but of the privileges of the natives, and repugnant to the express and repeated orders of the Court of Directors. The indulgence however in the trade of salt upon the footing I hope it will now be established, should, in my opinion, obviate all complaints; since it seems to be the most equitable Modus between the Company and their servants, and at the same time a distribution of natural right to the people of the country. Considering that the

“ late-



" late great advantages of unlimited trade are cut off, I cannot imagine the Court of Directors will deny their servants this share of benefit, as a recompence for their care and assistance in the management of the important concerns of these provinces. On the other hand, I would have the servants look upon these emoluments as a gift from the hands of their employers, offered to them annually in reward of their fidelity; and which will certainly be withheld from them, if ever their authority should be resisted, and discontent and rapacity take place of gratitude and moderation."

" His Lordship's minute being read and maturely considered, the regulations therein specified are *unanimously approved*."

The capital stock for the second year was divided into sixty shares, and amounted to current rupees 2,400,000; or, at 2s. 6d. per rupee, 260,000 pounds sterling. And the profits which have actually accrued upon this second year's capital, and been received by the proprietors upon their respective shares, down to the month of December 1770, exclusive of balances still outstanding, are as follow, viz.

On the Right. Hon. Lord Clive's	-	5 Shares	-	L. 16,656	5 0
William Brightwell Sumner, Esq; his	3	- - -	-	9,993	15 0
Brigadier General Carnac's	-	3	- - -	9,993	15 0
The rest of the servants	-	49	- - -	163,231	5 0
		60		L. 199,875	0 0

The reader will doubtless have observed in the former part of this chapter, that an authority for establishing this monopoly was pretended to have been received from *the Nabôb*, and that *his interest*, or that of *the country government* was to be properly attended to, particularly as expressed in the proceedings of the 10th August 1765, by considering *him* either as a proprietor, or by an annual present, to be computed upon inspecting a statement of *his duties* on salt in former years. Notwithstanding which, in the 8th and 10th articles agreed to in the Select Committee of the 3d September 1766, we find *the Nabôb's officers*, throughout the three provinces, were to be dismissed from their employments, in case they did not carry into execution the regulations resolved on by the Committee: and we are told, that the duties established upon this trade in the Nabôb's name would, in fact, be brought to the credit of the Company, as being *the Sovereigns in India*. Contradictions of this nature will be frequently observed in the course of these sheets,

sheets, as well in the proceedings of the Directors, as in those of their servants abroad, since the farce of their double government commenced: for it is a difficult thing consistently to support a falsity, or fiction, through a variety of circumstances at different and distant periods of time.

Many and various were the oppressions exercised in the conducting of both the public and private monopolies, of which we are now treating: to enumerate them would be a disagreeable and tedious, if not an endless task; nevertheless, in support of the truth of this assertion, we will briefly mention a few circumstances.

In the 6th and 7th articles of the regulations established by the Select Committee, in their proceedings of the 3d September 1766, it is ordained, that the salt of the second year's monopoly should be sold at certain prices, to be fixed at every town or village, and that if any of the persons who were purchasers of the Committee's salt, should sell any at those markets for *one cowry* above the stipulated price, the vender should not only forfeit *all the salt found in his possession* there, but be liable to a forfeit of one thousand rupees for every hundred maunds of salt so sold; and the salt and money so forfeited should go, one half to the informer; and one half *to the government*.

In consequence of this regulation, many merchants were fined in a very arbitrary manner, particularly some of the principal black merchants of Calcutta, as Sooberambyack, Moddundutt and others, who had purchased of the Committee-salt to a very large amount, and were accused of having sold at above the prescribed price. The Select Committee, in the summary way adopted by themselves, without any judicial form, or process whatever, collected among these merchants to the amount of some thousands of pounds\*, which were said to have been appropriated in as arbitrary a manner to the erecting of the Court-house, a public building in Calcutta.

Upon the establishment of the private copartnership, or society, of the gentlemen of the Committee among themselves, there was an Armenian merchant, named Parseeck Arratoon, who had about 20,000 maunds of salt lying in warehouses, upon the borders of the Rungpore and Dinagpore provinces. The Armenian, sensible, as well as the gentlemen of the Committee, that the price of salt would rise, ordered his gomastah to fasten up his warehouses, and not to sell. As the retailing of this salt in those parts might hurt the partnership's sales, it was thought expedient at any rate, if possible, to get possession of it. Upon

\* One of them told the writer, that 40,000 rupees had been levied on this occasion.

failure of the artifices which were practised to induce the gomástah to sell it, the Armenian merchant's warehouses were broke open, the salt forcibly taken out and weighed off, and a sum of money estimated to be the price of it, was forced upon the Armenian's gomástah, on his refusing to receive it. Such are the facts sworn to in the depositions of several witnesses, upon an action, or bill of complaint filed in the Mayor's Court of Calcutta, the 15th September 1767, by Parfleck Arratoon, plaintiff, against the gomástahs, or agents of Mess. Verelst and Sykes, for current rupees 60,432. And if the proceedings of the Mayor's Court have been transmitted home with the same punctual regularity as formerly, there must be sufficient proof of these facts among the records now in Leaden-hall-street.

Having laid before the reader an account of what have been the actual and realised profits of the two years trade of this grand monopoly, we will now endeavour to shew, at one view, the amount of what the natives may be justly said to have been fleeced of in that space of time, notwithstanding the pious professions of the Select Committee, *that they should be supplied as reasonably as before.*

The amount of the capital stock employed

the first year, is C. R' 2,422,333 5 4		
or, at 2s. 2d. per C. R.      £. sterling	262,420 0 0	
Ditto, C. R' 2,400,000 at Dq. 2d year -	260,000 0 0	
	<hr/>	522,420
Profit, viz.		
On the Rt. Hon. Lord Clive's		
5 shares, the first year -	21,179 4 0	
Ditto, 2d year - - - -	16,656 5 0	
	<hr/>	37,835 9 0
On William Brightwell Sumner, Esquire, his 3 shares,		
the first year - - -	12,707 10 0	
Ditto, 2d year - - -	9,993 15 0	
	<hr/>	22,701 5 0
On General Carnac's 3 shares,		
the first year - - -	12,707 10 0	
Ditto, 2d year - - -	9,993 15 0	
	<hr/>	22,701 5 0
	<hr/>	<hr/>
Carried forward,	83,237 19 0	522,420

On

# ON INDIA AFFAIRS.

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	Brought over	83,237 19 0	522,420
On the rest of the Company's servants, 45½ shares, the first year - - -	192,024 16 0		
Ditto, 49 shares, 2d year	163,231 5 0		
	<hr/>	355,256 1 0	
			<hr/> 438,494
Total of the first cost and profit for two years - - -			960,914
Extraordinary duties paid in two years to the <i>Nabób</i> , the <i>country government</i> , or the <i>English Company</i> , whichever the reader pleases to call it, 26 lacks, at 2s. 2d. per current rupee - - - - -			281,666
Extraordinary charges beyond the common course of the trade, to which the Committee was exposed from the employment of European agents and other causes, esti- mated at least at 6 lacks, or - - - - -			65,000
Outstanding debts on the two years trade, which have been or will be recovered by the influence of the <i>country go- vernment</i> , estimated, to the time of the above calculation of profits, at 10 lacks, or - - - - -			108,333
Total received from the natives - - - - -			<hr/> 1,415,213

## Deduct,

First cost of those commodities for two years £.	522,420	
Allowance for what the profits would have been in the usual and fair way of trade, as practised when the monopoly took place, at 30 per cent. - - - - -	156,726	
Duties which might have been collected in the usual manner on this trade, in the state it then was, for two years: we will make a large allowance in the sum of - - -	50,000	
To this must be added what was separately gained by the under-monopolizers; who, agreeably to the regulations, purchased salt, &c. in the gross from the Committee, being chiefly Banyáns of the gentlemen		

Carried forward 729,146 1,415,913

Brought over	729,146	1,415,913
themselves, and who transported it to and retailed it in the inland country. The net profits under this head may be justly esti- mated, upon salt and beetle-nut, at least at 12 lacks, or        -        -        -        -	130,000	
	<hr/>	859,146
Arising on the public monopoly        -        -        -		<hr/> 556,767

To which must be added the concerns of the separate private society, among the gentlemen of the Select Committee, already mentioned, as far only as has come to public knowlege, viz.

One concern, as taken notice of in the Right Honourable  
Lord Clive's assignment, N<sup>o</sup> XLIII. in our *Appendix*,  
page 158,        -        -        of 497,001 Maunds,  
And of one other,        -        -        40,000

Maunds, 537,001. Upon which we may safely allow the gentlemen to have gained, at the lowest estimation, a clear profit of two current rupees per maund, making 1,074,002 rupees, at 2s. 2d.        -	116,350
	<hr/>
	£. 673,117
	<hr/>

By this estimate, which we hope will be allowed very just by all persons acquainted with the branch of which we treat, it appears, that upon the trade of two years there has been to the amount of six hundred and seventy-three thousand one hundred and seventeen pounds sterling collected for the benefit of about sixty persons, from the natives in general, upon this single monopoly of what are considered there to be all necessaries of life (and the most material one is actually such in all countries) more than they would have paid for the same, had the trade continued open and free to all who paid the established duties.

In a country where the nature of commerce is so well understood, it must be needless to swell this chapter, already too long, with such inferences, drawn from the facts here laid before the public, as must appear obvious

obvious to every one at the first view. Every merchant will agree with us in one general conclusion, that such a monopoly must have been in the highest degree injurious to the population and manufactures of the country; and we will venture to assert, that, above all others, it has principally contributed to that decrease of trade, and the distress under which Bengal has laboured ever since the establishment of this monopoly.

We had almost forgot, before we dismissed this head of our subject, to put the reader in possession of a key for the understanding of such parts of the proceedings of the committees herein taken notice of, as were calculated to evade the carrying into execution of the orders of the East India Directors respecting this trade.

Soon after the establishment of the monopoly, the Right Honourable Lord Clive and the gentlemen of the Committees and Council (apprehensive that they should not receive the approbation of the Directors of the Company for this establishment) entered into an indenture, or bond of indemnity to each other, by which they engaged, under a considerable penalty, That “provided any order or direction should issue or  
“ be made by the said Court of Directors in England, thereby ordering  
“ and directing the said exclusive joint trade and merchandize to be  
“ dissolved or put to an end, or that might hinder and stop the carrying  
“ on the same, or contain any thing contrary to their regulations, they,  
“ the said Right Honourable Lord Clive, &c. members of the Committees and Council, should and would, notwithstanding any such  
“ order or direction, keep up, continue and enforce, or cause to be  
“ kept up, continued and enforced, the said exclusive joint trade and  
“ merchandize,” as the reader will see at large, by a copy of the said original indenture or deed of indemnity given in our *Appendix*, N<sup>o</sup> XLIV. page 161.

## C H A P. XIV.

ON the GENERAL MODERN TRADE of the ENGLISH in BENGAL; on the OPPRESSIONS and MONOPOLIES which have been the CAUSES of the DECLINE of TRADE, the DECREASE of the REVENUES, and the present RUINOUS CONDITION of AFFAIRS in BENGAL.

WITHOUT the reader has considered and bears in his mind the state of Hindostan, since the subversion of the empire, the dependency on the English Company of the prince whom they call *The Grand Mogul*, the condition of their collectors, whom they call *The Nabbs* of Bengal, the situation of individuals, and the state of justice in those dominions, as set forth, particularly in our third, fourth, fifth, sixth, ninth and tenth chapters, he will be scarce able to conceive a possibility of the existence of such cruel oppressions and ruinous measures as have taken place in the Bengal provinces of late years, but particularly, since “*the English East India Company are become the Sovereigns of a rich and potent kingdom, and their government in Bengal a military as well as civil government* \*.”

Having also, towards the end of our eighth chapter, said something on the nature of the present trade of the English Company, and of the difference between that and the trade of individuals and other nations in Bengal, we must beg leave to refer the reader thereto, that we may avoid troubling him with repetitions in this place.

When the Grand Mogul, Furrukhsheer, granted his firmaun for exempting the English from the payment of all duties, their trade was very insignificant, as well as their legal possessions of lands, which, as we have seen, were by the firmaun circumscribed within *forty begas*, or about *fifteen acres* round every factory. At that time, and also for many years afterwards, even down to the year 1753, it was the custom for the Company in Bengal generally to provide their goods upon contracts with the merchants of the country, who received a part of the money in advance, which were called *dadney-advances*. These merchants, who were known by the appellation of *dadney-merchants*, contracted under penalties, to deliver the goods, at stated times and prices,

\* See a LETTER from LORD CLIVE and the SELECT COMMITTEE to the COURT of DIRECTORS, and the POSTSCRIPT to the LETTER of Mess. LEYCESTER and GRAY. AUTHENTIC PAPERS, pages 92, and 195, &c.

at the Company's principal settlement, and were of course amenable to the laws of the country when they or their agents were guilty of any irregular practices. In that situation, the detriment accruing to the government, from the great partiality shewn to the English in preference to the Mogul's subjects, was, as hath been shewn in another place, comparatively inconsiderable: but the Mogul certainly had no conception of the height to which that trade would be carried, on which he had granted so unlimited an exemption from duties.

The preference granted to the English, gave them great advantages when they came to deal with the weavers in the inland country, where the factors and gomástahs employed by the Company, on this change in the mode of providing their investment, were in general treated with great respect. This influence increased with the power of the English Company; so that after the defeat of Serajah al Dowlah, in 1756, that Nabób was made to engage, "that he or his officers should, on no account interfere with the gomástahs of the English; but that care should be taken that their business might not be obstructed in any way." And these gomástahs so well availed themselves of this new acquired power, that after the Company, by their substitutes, had made their first Nabób, Jaffier Ally Khawn, in the year 1757, their black gomástahs in every district assumed a jurisdiction which even the authority of the Rájahs and Zemindárs in the country durst not withstand. Instances of this influence, so detrimental to the country, are to be met with in every page of Mr. Vansittart's Narrative.

In this situation of things, as the trade of the Company increased, and with it the inland trade of individuals also in a much greater proportion, those evils, which at first were scarcely felt, became at last universal throughout the Bengal provinces: and it may with truth be now said, that the whole inland trade of the country, as at present conducted, and that of the Company's investment for Europe in a more peculiar degree, has been one continued scene of oppression: the baneful effects of which are severely felt by every weaver and manufacturer in the country, every article produced being made a monopoly; in which the English, with their Banyáns and black gomástahs, arbitrarily decide what quantities of goods each manufacturer shall deliver, and the *prices* he shall receive for them.

To increase the amount of the Company's investment of goods for Europe, beyond what was sent by his predecessor, has been the constant endeavour of every succeeding Governor of Bengal, in order to acquire reputation with the Company. To obtain this increase great strictness has been used with, and great hardships have been exercised



on the manufacturers, who are in general now monopolized by the English Company and their servants, as so many slaves ; which has occasioned frequent complaints from the agents of the French and Dutch Companies, and those proposals for a participation of the weavers, of which we have taken notice at the conclusion of our eighth chapter. The severities practised towards these poor people, who are generally both manufacturers and husbandmen, are scarcely to be described ; for it frequently happens, as we have observed in another place, that while the officers of the collections are distressing them one way for their established rents, the peons from the Company's gomástahs, on the other hand, are pressing them for their goods in such manner, as to put it out of their power to pay their rents. However excusable the oppressing of manufacturers might have appeared in the Company, as merchants, while the country belonged to another power, and the profit arising from trade was their only object in view, now, when they are become the Sovereigns of Bengal, the continuation of such a practice can no otherwise be considered than like the idiot-practice of killing the prolific hen to get her golden eggs all at once.

But for the better understanding of the nature of these oppressions, it may not be improper to explain the methods of providing an *investment* of piece goods, as conducted either by the export warehouse-keeper and the Company's servants at the subordinate factories, on the Company's account, or by the English gentlemen in the service of the Company, as their own private ventures. In either case, factors, or agents called gomástahs are engaged at monthly wages by the gentleman's Banyán ; there being generally, on each expedition, one head gomástah, one móhúree or clerk, and one cash-keeper, with some peons and hircârahs ; the latter being for the purpose of intelligence, or carrying letters to and fro, which, for want of regular posts, every merchant does at his own expence. These are dispatched, with a Perwânah from the Governor of Calcutta, or the chief of a subordinate to the Zemindâr of the districts where the purchases are intended to be made ; directing him not to impede their business, but to give them every assistance in his power. The next step is to purchase a convenient sum in such species of rupees in the Bazâr, at the batta current among the Shroffs, or money-changers, as will best answer in the intended districts of purchase, which is dispatched for the first advances to the weavers ; and afterwards, generally a proportion of such goods as it is imagined can be sold advantageously in the said districts, and realized in time for the latter advances, in full, to the weavers, are also dispatched, with the Company's dustuck, and consigned to these gomástahs. Upon the gomástah's arrival

arrival at the *aurung*, or manufacturing town, he fixes upon a habitation which he calls his *Cutcherry*; to which, by his peons and *hircarahs*, he summons the brokers, called *Dallāls*, and *Pykārs*, together with the weavers; whom, after receipt of the money dispatched by his master, he makes to sign a bond for the delivery of a certain quantity of goods, at a certain time and price, and pays them a part of the money in advance. The assent of the poor weaver is in general not deemed necessary; for the *gomāstahs*, when employed on the Company's investment, frequently make them sign what they please; and upon the weavers refusing to take the money offered, it has been known they have had it tied in their girdles, and they have been sent away with a flogging. The *Dallāls* are brokers, who are usually and necessarily employed by the *gomāstahs*, as knowing and having accounts with all the weavers of the respective districts. They are often as much oppressed as the weavers; but when separately employed they always make the latter pay for it. Under the *Dallāls*, the *Pykārs* are an inferior set of brokers, who manage the minutæ of business between the weavers and the *Dallāls*, as these last do with the *gomāstahs*. A number of these weavers are generally also registered in the books of the Company's *gomāstahs*, and not permitted to work for any others; being transferred from one to another as so many slaves, subject to the tyranny and roguery of every succeeding *gomāstah*. The cloth, when made, is collected in a warehouse for the purpose, called a *Khattah*; where it is kept marked with the weaver's name, till it is convenient for the *gomāstah* to *hold a Khattah*, as the term is, for assorting, and fixing the price of each piece: on which business is employed an officer called the Company's *Jachendār*, or assorter. The roguery practised in this department is beyond imagination, but all terminates in the defrauding of the poor weaver; for the prices which the Company's *gomāstahs*, and, in confederacy with them, the *Jachendārs* fix upon the goods, are in all places at least fifteen per cent. and in some even forty per cent. less than the goods so manufactured would sell for in the public Bazar, or market, upon a free sale. The weaver, therefore, desirous of obtaining the just price of his labour, frequently attempts to sell his cloth privately to others, particularly to the Dutch and French *gomāstahs*, who are always ready to receive it. This occasions the English Company's *gomāstah* to set his peons over the weaver to watch him, and not unfrequently to cut the piece out of the loom when nearly finished. With this power and influence, the *gomāstahs*, in the mean time, are never deficient in providing as many goods as they can on their own

accounts, and for the Banyáns of their English employers ; which they either sell to the agents of foreign Companies on the spot, or dispatch to Calcutta with the goods of their constituents, under cover of the same Company's dustucks ; in either case, if there is any market at all, being sure of a profit on goods, *so provided*, of at least twenty per cent.

In the time of the Mogul government, and even in that of the Nabób Allaverdy Khawn, the weavers manufactured their goods freely, and without oppression ; and though there is no such thing at present, it was then a common practice for reputable families of the Tánty, or weaver cast, to employ their own capitals in manufacturing goods, which they sold freely on their own accounts. There is a gentleman, now in England, who in the time of that Nabób, has purchased in the Dacca province in one morning eight hundred pieces of muslin at his own door, as brought to him by the weavers of their own accord. It was not till the time of Serajah al Dowlah that oppressions, of the natures now described, from the employing of gomástals, commenced with the increasing power of the English Company, upon their changing the mode of providing their investment : and the same gentleman was also, in Serajah al Dowlah's time, witness to the fact of above seven hundred families of weavers, in the districts round Jungulbarry, at once abandoning their country and their professions on account of oppressions of this nature, which were then only commencing. Since those days the natives have had no Nabób to apply to in cases of oppression, but such as were the dependent creatures of the English Company, against whom they could hope for no redress.

With every species of monopoly, therefore, every kind of oppression to manufacturers, of all denominations throughout the whole country, has daily increased ; insomuch that weavers, for daring to sell their goods, and Dalláls and Pykárs, for having contributed to or connived at such sales, have, by the Company's agents, been frequently seized and imprisoned, confined in irons, fined considerable sums of money, flogged, and deprived, in the most ignominious manner, of what they esteem most valuable, their casts. Weavers also, upon their inability to perform such agreements as have been forced from them by the Company's agents, universally known in Bengal by the name of *Mutchulcahs*, have had their goods seized, and sold on the spot, to make good the deficiency : and the winders of raw silk, called *Nagaads*, have been treated also with such injustice, that instances have been known of their cutting off their thumbs, to prevent their being forced to wind silk.

This

This last kind of workmen were pursued with such rigour during Lord Clive's late government in Bengal, from a zeal for increasing the Company's investment of raw silk, that the most sacred laws of society were atrociously violated; for it was a common thing for the Company's seapoys to be sent by force of arms to break open the houses of the Armenian merchants established at Sydabâd (who have, from time immemorial, been largely concerned in the silk trade) and forcibly take the *Nagaads* from their work, and carry them away to the English factory.

In this situation of the trade in Bengal, exclusive of such articles as are necessarily provided for the English Company's investment, which, as before observed, is the worst of all monopolies; exclusive of what the Foreign Companies are permitted to provide, in order to prevent clamours in Europe (for which goods however such Foreigners are obliged to pay prices much superior to those given by the English *Gomâstahs*) and exclusive also of the little which the honest private merchant may be able to provide *secretly*, the whole inland trade, in almost every thing else that the country produces, and even the trade in some principal articles of foreign import, has been carried on as monopolies, by a few of the superior servants of the English Company, with their *Banyâns* and favourites: and not only every public measure of late years adopted by the government at Calcutta, has been calculated to favour the establishment of such monopolies, but even the contradictory and injudicious orders of the Court of Directors, on some occasions, from a want of \* local knowledge, and on others from connivance at the proceedings of their servants abroad, or from the state of parties in Leadenhall-street, have promoted such shameful measures.

Among the monopolies thus established, two were of such a nature, that they could not have been invented more destructive to the country than they really proved. One was that of salt, beetle-nut and tobacco, of which we have particularly treated in our preceding chapter: the other was of the cotton imported by sea from Surat, which tended directly to the ruin of the callico manufactories, and in the manner in which it was partly carried on, to the destruction likewise of the revenues. This was a combination among most of the Gentlemen of

\* A remarkable instance of this want of local knowledge was given before the Honourable House of Commons, on the 9th and 10th of April 1767, by two Directors of the Company, then examined at the bar: one of whom declared he had been ten years and the other twenty in the Direction. They had both respectively held the Chair of the Company, and yet declared they did not know the Danes had any settlement in Bengal; notwithstanding their town and factory of Serampore is only about ten miles distant from Calcutta, upon the river Hoogly.

the Council at Calcutta, to engross as much as they could of the Bombay and Surat cotton. The original concern of what was bought up on this monopoly amounted to twenty-five lacks of rupees, or upwards of three hundred thousand pounds sterling, which they divided in shares among themselves. The prices of cotton which in Bengal, upon the commencement of the monopoly were at sixteen and eighteen rupees *per maund*, of about eighty pounds weight, were soon run up to twenty-eight and thirty rupees: but, unfortunately for the concerned, the crop of country cotton, so called by the English, but *Capas* by the natives of Bengal, proved at that time very plentiful; and a great quantity of cotton was at the same time also unexpectedly imported in a new track of trade, from a distant country down the rivers Jumna and Ganges, which greatly prejudiced the sales of the monopolizers. Two expedients were therefore thought of to facilitate the sales of the cotton of this monopoly; one, to employ the nominal deputy Nabôb, but in fact the only man in power under the Company's servants, Mahomed Reza Khawn, at Murshedabâd, to take and distribute it among the Zemindârs; and the other was, by means of the same mock authority, to prevent the importation of the cotton from the upper countries. Accordingly a considerable quantity was actually sent from Calcutta up to Mahomed Reza Khawn, and distributed among the Zemindârs; and on the borders of the Bahâr province a new and extraordinary duty of above thirty per cent. was levied upon the cotton brought down from the high country; which was a most effectual method of preventing its introduction into the Bengal provinces.

The public monopoly next in consequence, as of late practised, has been that of piece-goods fit for the markets of Bussorah, Judda, Mocha, Bombay, Surat and Madras. Of those goods there are many sorts which the English Company do not deal in; such as, at Dacca, the coarser kinds of Mulmuls, called Anundy, Hyaty, Sonargoung and Sherbetty; and at Cossimbazâr and Radnagore several sorts of Sarries, called Chappa, Mugga, Tempy, Tarachaundy, and Mufta; also Soocies and Soocy-sarries, Cuttanees and Taffeties, &c. in the provision of which nevertheless, under the same influence, like oppressions are practised as for the Company's investment.

For the disposal of the goods of this joint concern, another monopoly is established of the exclusive right of exportation, particularly to Bussorah, Judda and Mocha, which used to be the most profitable voyages. For this purpose, the Governor and Council of Calcutta fit out ships, generally known by the denomination of *the freight ships*, on which the goods of this joint-concern are first shipped, and the remainder of the  
tonnage

tonnage is filled up on freight. The management of this concern is under the direction of a Member of the Council, who is acting-owner, and keeps a warehouse for this purpose, generally known in Calcutta by the name of *the freight-warehouse*. When one of these freight-ships is set up, no other persons among *the few that can provide goods* dare attempt to set up another on the same voyage, without the permission of the Governor and Council; nor is any person suffered to load their goods on any other ship for those markets, if such should be permitted to be set up, until the loading of the freight-ship of the Governor and Council be completed. Frequent instances have been known of the goods of private merchants, even Europeans, but particularly of those belonging to Armenians, Moguls and Gentoos, being, in consequence of this monopoly, stopped on the public road, and by force carried to the freight-warehouse; and the proprietors of such goods have been obliged, contrary to their wills, to see their goods shipped on vessels they had not a good opinion of, and going on voyages whose destination and management were often contrary to their own private schemes of trade: in consequence of which unwarrantable proceedings, those merchants have frequently lost their sales, have had their goods damaged, left at ports they never designed they should touch at, and have sometimes lost even the goods themselves. By all which <sup>various</sup> circumstances there have been in Bengal many instances of families of Armenians, principal traders in this branch to Persia and Arabia, the former of which may properly be called their own country, who have been totally ruined.

Among the many methods that have been put in practice by the Governor and Council of Calcutta, for securing the monopolies of the inland trade, though under various specious pretences of their being for the benefit of the Company and natives, as well as for public good, the following are some of the most remarkable.

Merchants have been strictly prohibited from sending Gomástahs into the interior country, to purchase or provide any goods, without a Perwânah from the Governor of Calcutta. Without this Perwânah, it would be in vain to attempt to purchase, notwithstanding a merchant should agree to pay double what is called *the government duties*; though in fact such Perwânah, when obtained, would in general be of no service to the country merchant, without some special private protection, as the bonds called *Mutchulcabs*, already explained, are in general taken by the Company's Gomástahs, from the Weavers and Dallâls, throughout the whole country.

An order of Council was also issued, prohibiting all Englishmen from quitting Calcutta, or residing at any subordinate factory, or in any part of the inland country, under a pretence, that they were guilty of oppressions towards the natives. It was said this restriction was by order of the Court of East India Directors, and intended to prevent such irregularities. Whatever might have been the real motives for this regulation, it was admirably well calculated to favour the establishment and continuation of monopolies, and to prevent discoveries of transactions of a more private nature in the inland country, where many secrets lay buried. However, when the \* Gentlemen of the Secret Committee, who published that order, found it convenient for their business in salt, beetle-nut and tobacco, they did not, as we have shewn in our last chapter, hesitate to appoint and station, all at once, no less than ten English gentlemen, as agents, in different parts of the country for the sales of salt.

After the facts herein taken notice of, respecting the proceedings of Black Gomastahs, it would be paying a bad compliment to the natives of this country to suppose, that an English agent could possibly exceed the Blacks in the commission of every species of enormity: and to suppose that English individuals were properly prohibited from residing in the inland country of which the English Company were the acting Sovereigns, on account of any irregularities they committed, would be admitting absurdities. It would be admitting that the Governors of a country could fancy it for the benefit of that country, that it should not be inhabited by their fellow-subjects. It would be supposing that a despotic Sovereign, whose power is as unlimited as he chooses to make it, could not prevent the commission of offences, or duly chastise the delinquents for such, when committed even within his own dominions. Or else, by maintaining the propriety of such an order from the Company, or their Governor and Council of Calcutta, we must admit what would not be much to their honour, that they were totally unqualified for holding those reins of government which they had taken into their hands.

But this restriction was no less absurd in another point of view; for it put the Englishman upon a worse footing than foreigners in a country conquered by his own nation; since the Governor and Council thereby deprived him of that right of loco-motion which, by the law of

\* Even the gentlemen who concurred in opinion of the propriety of that order upon this occasion, had before given their sentiments in direct opposition to such a measure. See AUTHENTIC PAPERS, page 200.

nations, they could not restrain in the French, Dutch, Portuguese, or Danes, who have settlements in Bengal.

How different the conduct of the Dutch Company! and what amazing good consequences have evidently been produced by contrary measures even at the Cape of Good-Hope! Instead of preventing their fellow-subjects from existing or living in the interior country, their policy encourages it to the utmost. They have countrymen established in the inland parts at the distance of above six hundred miles from their chief settlement; where, by a well-regulated police, arduous administration of justice, and the encouragement of agriculture, assisted with the improvements of European artists, they have rendered their colony on that rocky mountain so abundant in wine, cattle, grain, and all the fruits of the earth, and upon the whole so beautiful and flourishing, as gives occasion for great comparative reproach on the East-India Company of this kingdom.

But not content with the prohibitions and restrictions of trade within the provinces of Bengal, Bahár and Orissá, the Governor and Council of Calcutta, on the 18th May 1768, and we will suppose also by the authority of the Court of Directors, proceeded to publish an \* edict, prohibiting not only the Company's servants and free merchants, but every other European under the Company's protection, as well as *all Armenians and Portuguese, or the descendants of Armenians and Portuguese*, from carrying on any trade, directly or indirectly, *beyond or without the limits of the said provinces of Bengal, Bahár and Orissá*: and it was therein ordained, "that if any of the persons described should attempt to transport any merchandize beyond those provinces, all such merchandize should be seized and confiscated, and the govt. tahs having charge of such contraband trade should be punished with the utmost severity;" it being intended by the Governor and Council, as was alledged, "that none but the natives of the country (*Mussulmen and Hindoos*) should enjoy the privilege of that trade."

To particularize, in a mereantile community, all the gross absurdities and the injustice of such an order, would be to offer an insult to every man of understanding; we will therefore only remark, that this order principally contributed to the producing of two ruinous effects; one, the prevention of extending the Company's sales of British woollens and other staple commodities of this kingdom, and the other, adding to the discouragement of the inland importation of bullion, by lessening all mercantile connections with the merchants of the interior parts of

\* See this Edict at large in our APPENDIX, N<sup>o</sup> XXIX. page 8c.



**Hindustân.** From whence the Company, or their Governor and Council, could derive these powers of confiscation and punishment; or by what authority they could deprive of their natural rights, the Armeenians and Portuguese established in Bengal, who, as well as their forefathers, were natives of that country equally with the *Mussulmen and Hindoos*; or with what view they wanted to prevent all trade in the dominions bordering upon Bengal, notwithstanding the Princes of such adjacent countries permitted, encouraged, and according to the *usages of the empire*, could not prevent such trade, it must be hard to account for, unless from private selfish motives; which latter we are the more inclined to believe must have been the case, as the very gentlemen who made this restrictive order also continued their own agents and gomástahs in the interdicted districts.

In another place we have already observed, that in former times it was customary for merchants from all the inland parts of Asia, and even from Tartary, to resort to Bengal with little else than money or bills to purchase the commodities of those provinces. A variety of merchants of different nations and religions, such as *Cashmeerians*\*, *Mulánys*, *Pasáns*, *Sheiks*, *Suníaffys*, *Poggyahs*, *Betteas* and many others used to resort to Bengal annually, in *Casseelahr*, or large parties, of many thousands together (with troops of oxen for the transport of goods) from different parts of Hindustân; by which the inland importation of bullion into Bengal always far exceeded the whole importation by sea from Europe and the gulfs of Persia and Arabia. Thus, by the bad practices of the Company's agents and gomástahs in the interior parts, and by those proceedings of the Company, or their Governor and Council of Calcutta which we have now instanced, all those foreign merchants have been deterred from approaching the Bengal provinces; and things have come to such a pass, that the whole of that advantageous trade is now turned into other channels, and probably lost to those countries for ever.

Indeed, as we have before observed, the proceedings and orders of the Courts of East India Directors respecting the inland trade of Bengal, have, either from the state of parties or from ignorance, in general been equally destructive of the welfare of those countries and the real interests of the Company, with those of their late Governors and Councils at Calcutta. And in nothing has this been more apparent than in their

\* It was customary for the merchants of Cashmeer to go and make even *salt* in the woods called *Sunderbund*, being at the very bottom of the Bay of Bengal: as may be seen by a letter from the Nabob, Cossim Ally Khawn to Governor Vansittart. See Mr. VANSITTART'S NARRATIVE, Vol. II. page 167.

orders respecting the trade in salt: which trade, at any rate, has in general been looked upon, by misinformed East India stock-holders, as destructive and criminal, though the fact is, that the abuse of it only has been such; for the fair and open practice of it by all men, ever did, and ever must contribute to the welfare of the country. Thus in their letters to Bengal, dated the 8th February 1764, and the 10th February 1766, the Court of Directors absolutely prohibited the trade in salt to all Europeans whomsoever, residing under their protection, though they should trade therein with paying the very utmost duties, and entirely upon a footing with the natives. They likewise, at the same time prohibited "trade in all other articles *that are not for export and import.*"

The districts belonging to Bengal which produce salt, are only such places as are washed by the influx of the tide from the sea, for about sixty miles up the rivers from the bottom of the bay; where it is made by boiling an artificial brine filtrated through prepared earth, by a process very different from what is practised in Europe, or in the other parts of India. The reader may see in the map, that the lands so washed, are those to the south of Calcutta, and across the bay, from Chittigong to Ballasore, all which, including the provinces of Midnapore and Burdwan, excepting Jessore, Roymungul and a few other Pergunnahs dependent on Hoogly, are the lands of the Company's former grants from the Nabobs of Bengal, possessed before the setting up of the satees of the Dewannee. Many of those lands produce nothing but salt, from which the whole of their revenue arises: but from the situation of the private trade of the country, as already shewn, as well as, in particular, from the fluctuating tenor of orders issued at Calcutta\* relative to this trade, none of the natives would, at that time, or even since, venture to make salt, unless privately concerned with, or protected by some gentleman of power and influence in the service of the Company.

In this situation of the country, or indeed in any other, the wisest measure the Company could pursue, would have been to encourage, without

\* In consequence of repeated orders received from the Court of East India Directors, the Governor and Council of Calcutta, in February 1767, issued a proclamation, encouraging the natives to make salt; and upon the faith of this order many of them engaged in the business, particularly in the woods; where it is made on low grounds which are overflowed upon the rising of the Ganges, after the periodical rains. In the mean time the Dewan or head Banyan of the Governor, and the Banyans of some of the other principal gentlemen, who had formed a society, and became large purchasers of the Committee's salt (although the same was expressly contrary to the fourth regulation of the Committee, of the 3d September 1766) represented to the Committee, that if the new salt was permitted to be brought to market before their own was sold off, they should be ruined by their bargain with

without restriction, Europeans and others, of all denominations, upon engaging to pay the established duties, to embark in the business of salt-making; as well because Europeans would be more likely than the natives to counteract, if possible, the monopolizing spirit of the superior servants of the Company, as for the sake of the consequences which must naturally follow, viz. the great improvement of the revenues of the salt-pergunnahs, and the lowering of the price of so principal a necessary of life. Indeed it is amazing, that a commercial body of men, like the English East India Directors, should in any situation think of prohibiting the free exercise of trade, according to established custom, in a commercial country, like Bengal; and particularly when even the prosperity of their constituents affairs must depend on such freedom. Every prohibition of one set of men, in favour of another, or the allowing of a free trade in some articles, and laying partial restrictions on others, must tend to the establishment of mischievous monopolies: but when the interdicted persons are the rulers, in a distant country, of subjects totally dependent and made abjectly subservient, the issuing of such prohibitory restrictions is encouraging collusions for partial views: so that the very expectation of obedience in such cases becomes not less absurd than the issuing of such orders is impolitic. It is moreover, in the cases before us, peculiarly disgraceful; for before the Company made themselves Sovereigns there, the worst or weakest of the ancient *black Nabobs* would not have prohibited even any European in Bengal from trading in any particular article, so long as he paid the full duties, and conformed to the customs of the land. It is likewise contrary to the sentiments and orders of former Courts of Directors; who, as we have shewn in our eighth chapter, allowed of all trade in India, on payment of the established duties, and only aimed at the prevention of the abuses of their firmaun-dustuck; which, in fact, was all that they could have a right to interfere with.

the Committee. In consequence of this representation, on the 12th August 1767, there was another proclamation issued, forbidding the removal of any new made salt from the ground where it was produced. This was a most effectual method of preventing the sales of the new-made salt. The salt-makers, called Molunguees, came up to Calcutta in a body to petition for liberty to remove their salt before the swelling of the river. and the writer has seen above two hundred of them surround the Governor's palanquien for that purpose, on the high road, and falling prostrate on their faces before him. They were referred to *the Dewán*, though the very man against whom they complained; and before they could obtain an order, their salt was washed away. To shew the power of a Governor's Dewán upon such occasions, the reader must be informed, that at this very time the Vakeel of the Rajah of Jessore, who had come up with the Molunguees, was taken up in Calcutta by the Governor's Dewán, and sent a prisoner into his own province, under a guard of soldiers, where they kept him, under a guard, till the Dewán's business was accomplished.

As to the other late prohibition of their servants to trade in any articles but what *are for export and import*, it is a nice distinction, which modern Directors alone can explain; for we assert there is not an article of trade in Bengal but what is either *an import* or *an export*; and even the article of salt, now under consideration, is in large quantities continually imported from the Marahat Pergunnahs about Ballasore and Cuttack, from the coast of Coromandel, and from Persia.

The orders of the Court of Directors respecting dustucks have also been equally inconsistent and contradictory. At one time they have ordered them to be granted to all their covenanted servants indiscriminately; at another they have been allowed only to those above the rank of writers; at this time they have ordered the free merchants to be indulged with them, and at that, they have directed this indulgence to be withheld, according to the narrow or more enlarged notions of the leading Directors for the time being.

The trade of individuals *in India* must ever be to the Company's special advantage, and cannot affect their exclusive trade to and from Europe, but advantageously; notwithstanding some people, in order to screen their own monopolies, have always endeavoured to make it appear pernicious to the Company: and such prohibitions and restrictions as we have just taken notice of, laid on trade in a commercial country, are, in fact, no better than so many public edicts for the ruin of a people: all such orders therefore must ever be evaded, or their effects will indisputably prove fatal.

Among the variety of iniquitous abuses practised in Bengal and the adjacent provinces, to the injury of individuals and great hurt of trade in general, we may properly rank those of the spurious coinages which have been made of late years both in the gold and silver species, expressly contrary to law, and apparently for fraudulent purposes.

The English East India Company are authorised by charter and law to coin the money of the countries of India in which they have their principal settlements, with the permission however of the governing Princes of those countries, and provided that such coinages be made equal in weight and fineness to the standards of the respective states.

There are, in the different parts of India, a variety of kinds of gold and silver money, which only pass in general currency by their respective intrinsic values. The standard coinages of India are called *Siccas*: and whether silver rupees, or gold ones, called *Mohurs*, all are estimated according to their intrinsic goodness, in proportion to their comparative value of gold with silver. The *Battas*, on the exchange of such coins, are made instruments of great abuse in the hands of

the Shroffs, or money-dealers of all kinds, as hath been shewn in another place.

The gold mōhūrs which were issued at Calcutta in the year 1765, under the auspices of Lord Clive and his Select Committee, were, by their order, made to pass in value at fourteen siccas, or about sixteen current rupees and one quarter: but their circulation at that rate could never be made general; so that they occasioned great embarrassments and, of course, frequent heavy losses. The comparative value of gold by silver, above the established medium, in these gold mōhūrs of the Calcutta mint, was said to have been originally raised only six per cent. and two per cent. more was added for coinage-charges.

The issuing of them, however, proved the source of great evils, and was very injurious to the Company and the public, though made proportionably advantageous to jobbers. This over-rating of the value of gold soon contributed so effectually to the draining of those provinces of silver, that the Directors in England were, under date of the 3d February 1768, informed from the Governor and Council at Calcutta, that it was then difficult to procure silver at that presidency, in exchange even for an hundred gold mōhūrs. And under date of the 22d of the same month, it was earnestly recommended to them, from the said quarter, "to consider of some other means of supplying China with silver, than "from Bengal."

Gold mōhūrs, at the same time, for want of silver rupees, were necessitated to be sent from Bengal to Madras, to answer the most pressing exigencies of that settlement, though it was seen that a very heavy loss would attend such remittances: and by the same advices the Directors were farther informed, that the loss at Madras on such remittances of the gold mōhūrs from Bengal, had been *thirteen per cent.* as silver rupees would to that degree have better answered.

The Governor and Council of Calcutta likewise acknowledge, in their said advices to the Directors, that they had been *greatly disappointed* in their views of establishing a gold currency, as *with all their influence*, it would not pass in any of the provinces, "so wedded were the "natives to the particular specie they had been accustomed to." But they might have said, with more truth, that the people were *wise enough not to suffer themselves to be cheated in so gross a manner.*

Private advices of a later date have mentioned, that a great trade had been carried on in Calcutta in discounting gold mōhūrs, at eleven per cent. at least; which was principally carried on by the *Banyāns* of some of the English gentlemen high in office, by means of the common Shroffs. Thus the public offices were continually issuing gold mōhūrs, and

and some at least belonging to them were as continually receiving quantities of them back again, with a discount of profit of eleven per cent. and thus they went on issuing and receiving, in such a degree of advantage to themselves, money which had no currency except within the boundaries of Calcutta; so that those who had payments to make beyond those boundaries were necessitated to get it exchanged at so great a loss by discount. To such an extraordinary degree was this spurious gold coinage disgraced at last even in Calcutta, that there was once a quantity of them sold at public auction, by the authority of the Mayor's Court, which produced only ten current rupees and one quarter a mōhūr; which, admitting the proprietor had originally received them at sixteen and one quarter current rupees each, made no less a difference than *thirty-eight per cent. loss*.

With regard to the silver coinages of rupees, they are in the several parts of India of different values. *Arcots*, which are the most inferior of genuine rupees, and which are now coined as currently in Calcutta as in the province of Arcot, are estimated at eight per cent. better than current, or, what is the same thing, at eight per cent. less than the rupees of standard weight and fineness, called *Siccas*\*: and in this species of Arcots, the English European and Black troops are made to receive their pay.

Among the variety of base coinages which have been introduced in different districts since the subversion of the empire, there is one called a *Vizier* rupee, which is about ten per cent. worse than Arcots. This species was introduced not many years ago in one of the dismembered Nabōbships, whose Nabōb calling himself Vizier of the empire, in times of distress found himself necessitated, for the payment of his troops, to issue this spurious coin, which from him has retained the name of *Vizier* rupees; and from the confusion introduced, with the universal disregard of the laws of the late empire, the practice has been too much followed since, by such as have had opportunities and want of conscience enough to acquire wealth by so doing.

Among those who have practised this species of robbery, the substitutes and dependents of the English East India Company have not been least distinguished; and we have had even the *Banyāns* of our military gentlemen become masters of the mints at Banāras and Illahabād, in which *Vizieries* have been coined under the very nose of our *Grand Mogul*, not only for the robbing of the poor soldiers, by paying them in

\* The Murshedabād and Calcutta Sicca should weigh 7dwt. 11gr.  $\frac{5}{8}$  and in fineness should be better than English standard at the rate of 14dwt. 7gr.  $\frac{5}{8}$  in every pound of silver.

*Vizieries* instead of good *Arcots*, but, as it is said, even for the payment of the pension to the *Great Mogul* himself; who, notwithstanding his title of *King of the World*, has found himself necessitated to exercise *Imperial* patience, and suffer the injury unrepented.

Whatever propriety there might be, since those provinces became the property of the British state, in the Company's or their substitutes and dependents coining money in Bengal, independently of the supreme executive power of this kingdom, yet certainly, to make coinages that were against law, because not according to the standards of those countries, and to obtrude even government-payments with them at fraudulent valuations, must have been high crimes and misdemeanours, if not actually high treason; which latter is the only crime that by law cannot be tried in India. But surely these should be considered as practices that ought effectually to be prevented in future.

Upon the whole, it may with truth be asserted, that the monopolies which have been of late established, and the ruinous practices and regulations that have been introduced and enforced in Bengal by the English East India Company and their substitutes with respect to trade, are hastening on that destruction of the manufactories there which had its first beginning in the irregularities of usurping Nabôbs, and the depredations of the Marahthas. They have for several years past been decreasing† in quality and advancing in price, while many manufacturers of all denominations have, by unparalleled oppressions, been driven from their callings and country.

We have seen all merchants from the interior parts of Asia effectually prevented from having any mercantile intercourse with Bengal, while, at the same time, the natives in general are in fact deprived of all trade within those provinces, it being wholly monopolized by a few Company's servants and their dependents. In such a situation, what commercial country can flourish? or who can be at a loss to account for that de-

† By the Gentoo-accounts, the former manufactures in Bengal were incomparably finer than any thing now produced. There was a sort of muslin called *Abroon* which was manufactured solely for the use of the Emperor's seraglio, a piece of which, costing 400 rupees, or 50 l. sterling, is said to have weighed only five Sicca rupees, and if spread upon wet grails to have been scarcely visible. They amuse us with two stories as instances of the fineness of this cloth. One, that the Emp. Aurengzebe was angry with his daughter for shewing her skin through her cloaths; whereupon the young princefs remonstrated in her justification, that she had seven *jama's* or suits on. and another, that in the Nabôb Allaverdy Khawn's time, a weaver was chastised and turned out of the city of Dacca for his neglect, in not preventing his cow from eating up a piece of *Abroon*, which he had spread and carefully left on the grass.

crease of the Company's credit †, and the great scarcity of current specie in Bengal? which last, though greatly promoted of late years by different drains, such as that of the treasures carried out of the provinces upon the flight of the Nabôb Cossim Ally Khawn, the exportations to China and the other parts of India, the suspension of importations from Europe, and the introduction at Calcutta of the above-mentioned over-rated base gold coin; yet, as they had their beginning in, so their continuance is owing chiefly to the obstructions of the original springs of commerce, and the great oppression of the industrious part of the natives.

While the Company and their substitutes, by a subversion of the rights of mankind, in the unrestrained exercise of every species of violence and injustice, are thus suffered to monopolize, not only the manufactures but the manufacturers of Bengal, and thereby totally repel that far greatest influx of wealth which used to stream in from the commerce of Asia; and likewise, by every method they can safely practise, obstruct the trade of the other European nations with those provinces, which is the only other inlet of wealth they possibly can have, and at the same time, while they are continually draining off from thence immense sums annually for China, Madra's, Bombay and other places, the consequences cannot prove other than beggary and ruin to those inestimable territories.

These are circumstances that should serve to awaken the strong attention even of the proprietors of East India stock, as well as of the government; who should pay no regard to the confident assertion, that so long as the Ganges runs through Bengal, the inhabitants will not quit that country. The Ganges is equally, nay more venerated in other countries to the northward of Bengal and Bahár, where the Hindoos, who are only one part of the people, may equally follow the rites of *Brinha* their law-giver: besides, experience evinces the falsity of such an assertion.

The Company ought not to erect, or suffer others to establish any monopolies in Bengal; but should so regulate matters as to seek their own advantage in the prosperity of the country. Such can be the only just, the only safe policy to adopt; without which that country, with

† The Company's Bengal bonds have been discounted in Calcutta at upwards of fourteen per cent.

§ The necessity of encouraging such trade with other European nations on this very principle, and likewise for other prudential reasons, was seen and acknowledged even by Lord Clive in the year 1765; as may be seen by his letter to the then Directors. AUTHENTIC PAPERS concerning INDIA AFFAIRS, Pages 28 and 29.



all its natural resources, will soon become burthensome, instead of being advantageous to the Company or the nation to possess.

Such are the bad effects of evil causes, which are now operating very fast towards the ruin of the Bengal provinces ; so evidently, as when brought to a severe test, which must soon be the case, even Directors cannot, nor will dare to deny. If successive sets of Directors have been ignorant of these sure effects of causes, they have thereby shewn themselves to be unqualified for their trust ; but if they were able to trace them out, or were timely apprized of the evils, and neglected to act honourably from such knowledge, they will have then proved themselves unworthy of their trust, and must deserve to be considered as the betrayers of it.

It remains to be seen from the effects of time, what salutary measures towards the cure of present existing, and the prevention of dreaded evils in future, have been or may hereafter be adopted from the wisdom of Directors ; but however the *temporary* proprietors of East India stock, or such as have an interest in the Company's affairs separate from that of the public, may think and act on these matters, it should be greatly hoped, by every real well-wisher to this kingdom, that government will take the preservation and improvement of those Asiatic dominions, which it is conceived would be no very hard task, into their most serious consideration, while there is yet time for making preventive remedies efficaciously to operate. The critical period cannot now be far-distant ; so that longer delays may render the application of restorative means ineffectual, because unfortunately made too late.

## C H A P. XV.

ON the NATURE and DEFECTS of the CONSTITUTION of  
the ENGLISH EAST INDIA COMPANY.

OF all political tyrannies, the Aristocratic is worst, having ever been found, from experience, the most partial and oppressive. And of all Aristocracies, perhaps a trading one is least endurable, from being most likely to abuse power; as was frequently verified in ancient times, and in later ages has been practically exemplified in Venice and Genoa.

The Dutch East India Company is Aristocratic in its executive; but then it is the subject of a Democratic Trading-state, which has established such effectual checks on all entrusted operative powers in India, as serve fully to prevent both executive oppression, and the rapine of individuals.

The English East India Company was originally intended to be a merely trading community, being first instituted by Queen Elizabeth's charter of the 30th December 1600, expressly "for the honour of the nation, the increase of navigation, and the advancement of trade and merchandize within the British dominions; *for the increase of the Riches of the People and the Benefit of the Commonwealth.*" And indeed this Company, by its constitution, is as unfit to exercise Sovereign authority, as by the constitution of the kingdom it must be unqualified either to acquire or possess it.

The Company are institutionally a Democratic body, the supreme power, even over the management of their commercial concerns, being placed, at large, in the hands of all proprietors who have five hundred pounds stock: and so entirely popular is the government of this commercial community, that any nine proprietors who are qualified for voting at their meetings, or general courts, can at any time require and procure the assembling of the whole body, for specified business; where a majority of the members are entitled to demand whatever informations or inspections they please; to regulate dividends, to establish bye-laws and resolutions, and to order their being carried into execution by their substitutes, the Twenty-four Directors, who are annually chosen; *provided such regulations be conformable to the Company's charter, and not repugnant to the laws of the kingdom.*

Such is the constitution of this incorporated community; which is suitable to the nature and ends of its institution, being the employment of the joint stock in commerce, to their own advantage, and at the same time to the benefit of the state. The exclusive right of trade granted to them was for the sake of encouraging a new and important branch of commerce that might prove beneficial to the kingdom, and which was not likely perhaps, at that time, to be properly undertaken or prosecuted on any other conditions: and this in fact is the only constitutional reason that could ever be advanced to authorize the granting of such exclusive rights by charters. While this incorporated body of merchants, therefore, were prosecuting trade in pursuit of their own interest, they were likewise to be considered as acting in trust for the public, under the protection, inspection and controul of Government; because, like that which is carried on between Great Britain and every other country, the commerce with India is the commerce of the state.

So long as the concerns of the Company continued purely commercial, and while in India they were subject to the controul of the Indian Governments, the powers they were entrusted with, under the authority and protection of the Crown of Great Britain, for the government of those settlements which they were authorized to establish in such remote countries, for the better carrying on of their trade, might be considered as safe and requisite. The stake then principally hazarded was the property of a trading community, who had no other views or expectations than of the profits arising from their commerce, in their management of which there could be little pretence for Government's interfering: though it must be confessed the power which the Company were authorized to exercise in India was, even soon after their first establishment, too frequently abused by gross acts of injustice and oppression; such as appear to have been successively continued down, with great increase, to the present times.

But the circumstances of this Company have within a few years past become greatly different from what they were, or could be foreseen either at the first grant, or on any renewal of their charter. By the forces of the Company, in conjunction with those of the Kingdom, immense territories have been acquired in India. And though of right they can only belong to the State, yet hitherto they have been withheld by, or rather have been farmed to the Company, together, in fact, with the persons and rights of their numerous inhabitants, for a stipulated annual consideration: so that the Company now possess and exercise in those territories, not only all their prior commercial privileges, but likewise all the powers of despotic Sovereignty, equally over their fellow  
European

European subjects and the helpless subdued Asiatics; there being no courts of justice, in those countries, that are effectual for the due protection of either.

The following are therefore now become interesting objects of consideration. Whether the protection and government of such extensive, populous and wealthy provinces as may be said to constitute a great empire, and the management and appropriation of a yearly revenue of several millions sterling, can wisely or safely be intrusted, as at present, without adequate checks on the part of the Crown and People, to the care of a fluctuating, democratic community of traders; composed not only of the native subjects of Great Britain, but likewise of aliens of all countries and religions? And such considerations as these are the more necessary at present, as the very stock of this Company, with all the powers and rights annexed to it, may, in effect, be engrossed by combining proprietors. From what we have seen, it may even be apprehended, that one man might obtain the command of the Company, by dint of wealth perhaps acquired in its service; and by a dextrous management of split stock, among temporary proprietors, get voted in his own favour, whatsoever he pleased. Even foreigners may combine, and by engrossing much stock, perhaps influence such measures as would endanger the Asiatic territorial possessions, and therewith the India trade of this nation. At a critical season they might possibly be made instruments for even disturbing the peace of Europe, and thereby expose to hazard the future power and welfare of this kingdom.

Whatever view we take of the constitution of the India Company, to whom those Indian territories, and with them no inconsiderable portion of the national influence and power in Europe are intrusted, it must appear, that such possessions are of too much consequence to be abandoned to twenty-four Directors, who, it may be feared, are on many accounts but ill qualified for the entire management of concerns of such infinite importance, being generally elected by the combinations and intrigues of a few monied men, who may be actuated by no better motives than the acquisition of power and influence to themselves, and of rapid fortunes to their families, dependents and creatures. And indeed the general prevalency of the *House-Lists* of candidates at Elections for Directors, and of *House-Questions*, carried by the *Household Troops*, at most of the general courts, might serve to convince us, that those Ministers of the Company, after they are so chosen, become in reality its Masters; though perhaps on some occasions they may act as the mere tools of such individuals as helped to exalt them, and who in so doing had their own distinct interests in view.

But whether the Directors act under the influence of others or not, when we consider what they have at their disposal both in England and India; where there is so much to bestow, and consequently so much to acquire in the civil, military and maritime departments; so many preferences to be given in a variety of employments, and likewise in almost all kinds of dealings; where the whole quantity of stock is so limited, and of course the number of proprietors qualified for voting so small; while the requisite property for candidateship for the Direction is so inconsiderable, in comparison with the many advantages that may be reaped, and the gratifications that can be conferred; and when it is farther considered, how much India stock usually belongs to foreigners abroad, to women, minors and such proprietors as are not qualified for voting in the assemblies of the Company; when we consider all these circumstances together, the proofs daily given of the undue influence possessed by the Directors over the general body of voters, can excite in us no wonder.

Thus, though in constitution the Company is a Democracy, it is, from corruption, become in practice a mere Oligarchy. A majority of the twenty-four Directors can exercise such despotic powers as operate without limit both in Europe and Asia; not only over the property of that respectable body THE REAL PROPRIETORS (which ought ever to be distinguished from the cabals of the avaricious and ambitious) but likewise over the fortunes of all men who engage in the Company's service. And this power they no less exercise over the people, the revenues, the internal trade and external commerce of a very considerable part of India, than over what they for so long a time have possessed, the whole traffic of this kingdom with the eastern quarter of the globe.

Yet great as we know the power of Directors to be in Europe, we likewise know, that there have been, and may believe there still are such despots in the service of the Company abroad, as dare not only to interpret the orders of their employers as may best serve their own purposes, whether in the establishment of such monopolies as are grievous to the native people, injurious to trade and freedom, and greatly hurtful to the Company; but even peremptorily to dispute their most absolute injunctions, and likewise to abuse the powers which are only intrusted to them for good purposes, by gross perversions of justice, violations of law and established custom, arbitrary and unconstitutional applications of military force, and even the exercise of wanton tyranny for the worst of purposes. At the same time we behold the impotency of power, if the expression may be allowed us, or the force of what is

worse, to be such on this side of the ocean, that not one delinquent in India is brought to justice in Europe: nor do we hear of any kind of redress having been ever otherwise than reluctantly granted, by Directors, to such unhappy people as had been barbarously trampled on, wantonly persecuted, cruelly stripped, exiled, or even ruined; not only without proved guilt that deserved punishment, or without trial of any kind, but even without so much as the open accusation of a misdemeanor! While, on the contrary, we have seen the very oppressors of innocent men, not only caressed, but even associated in the Direction soon after their arrival; while uncommon industry has been used to stifle accusations, or even to bear down, by power, the suffering complainants of injury and oppression. Instances of conduct, which have served to remind the generous and humane, of the pro-consular ravages that were practised in the Roman provinces, and of the applications that were afterwards ineffectually made either for justice or redress, to the temporary Directors of public affairs in Rome, the seat of universal empire; during the last, luxurious, corrupt and rapacious stages of that once glorious, but then degenerated and sinking Commonwealth.

Since their assuming the Dewannee, the views consequent of conquest seem to have so engrossed the attention of this Company, or rather of those who act for them, that they appear to have been as regardless of the true commercial interests of the kingdom as they have shewn themselves inattentive to acts of justice, on complaints of the worst abuses of power; for, notwithstanding the great increase of their dominion, power and influence, there has been little, if any increase in the sales of British woollens in Bengal. The Turkey trade in this branch is known to have greatly declined of late years, insomuch that the clothiers who manufacture white cloths have principally depended on the exportation to India, and are quite at a stand when the India Company fail in the quantity usually exported by them. The trade in broad-cloths from hence to India is all, except in the merest trifles, strictly prohibited to all dependents on the East India Company, from the general practice, which indeed is common to all monopolists, not to clog markets with commodities, in order the better to support their prices. Nevertheless, without the abilities of consummate politicians, or even the knowledge of the most experienced merchants, such regulations might be made, and such undertakings encouraged as would soon double the sales of broad-cloth, and the other woollen manufactures of this kingdom in Bengal: and certainly nothing could be more laudable than the pursuit of every just measure that could be invented to encourage and increase the consumption of such articles.

A sensible writer \*, not long ago, took on himself the task of representing the necessity there had become of separating the territorial and commercial powers in Bengal, as much for the security of the Company as the advantage of the state. His sentiments concerning the Company were the following. "That it is itself a subject, possessing neither  
 "supreme legislative or judicial authority over its own institution of  
 "fellow subjects, for the government of those dominions; which representative it can neither properly direct, restrain, controul, or  
 "inspect; and that such a substitution is, therefore, absolute, despotic  
 "and arbitrary in the execution of its sovereign trust. That the Company is a Sovereign in the capacity of a merchant, and accordingly  
 "acts there in that double capacity; and that those who act under  
 "them are despots and merchants, as well for themselves as the Company: which are circumstances that must prove destructive to a commercial country. That, being a subject, depending on the government of the country in which it resides for its own protection and  
 "existence, it is totally devoid of that quality which constitutes the very  
 "end and being of government, which is protection."

He then proceeds to describe the Company's artificial government of Bengal, which is by pretending to hold an office under the Mogul, who was in fact their prisoner, unacknowledged as such but by themselves, those under their influence, or such as have like motives; and a Nabôb without power, who is dependent on them for support. Of these, but more particularly the latter, and of the base uses they make of him, there needs no more to be said here, but that he is forced to cover, and too frequently, in effect, to perpetrate even the most unwarrantable actions.

He represents the real government of that country to be in the hands of young European servants to the Company; on whose proceedings the government of this kingdom appears to bestow very little attention, while they are submitted to by the natives with the most timid resignation, and are but little under the controul even of their masters, the India Directors; because many of them may be supposed to depend chiefly, for support, on their interest at home. But should the very worst punishment in the power of Directors be inflicted on a Governor, or other great and successful man, which is dismissal from the service, it is but what he was prepared for: "being ready," says our writer, "to embark with a princely fortune for his mother-country, where he sets the Company at defiance; seeing, that in an ordinary court

“ of justice they can convict him of nothing more than *an error of judgment.*”

Having already treated of the present state of justice in Bengal, we shall only here observe, that with respect to criminal justice, the Governor and Council are, in fact, the parties to prosecute, the magistrates to imprison, the judges to sentence, the Sovereigns to order execution, and such despots in authority, that no grand or petit jury dares venture to disoblige them ; while for decisions respecting property they have, as we have before shewn, the appointing of the judges, who decree without juries, and likewise the power of displacing them on any exhibited complaint made to themselves, which it will readily be supposed they can with facility at any time procure. So likewise they can cause what kinds of justice they please to be executed on the unprotected natives ; and should any of them, against the will of their arbitrary rulers, but dare to avail themselves of their right to appeal to the laws of England for justice, they can, and do forcibly deliver them up into the hands of their creature of a Mock-Nabòb, “ who (as the “ writer \* last quoted observes) punctually and literally *executes his orders.* And thus (continues our author) we find this shadow of a “ Nabòb serves to effectually exclude the natives of that country from “ the privilege of the English laws.”

With respect to commerce and internal trade, which are the chief sources of wealth and power to a nation, as they likewise are of prosperity to individuals, the whole of both, in Bengal, are in effect monopolies, either in the hands of the Company or those of its servants : the former, from being the only merchant or commercial importer and exporter, is of course the exclusive buyer and seller from or to Europe, on self-prescribed conditions, at least as far as regards British commerce ; and likewise is greatly prescriptive, in effect, with respect to the rest. The advantages of one buyer over many sellers, and of one seller over many buyers, is no other than the acquisition of a doubly-monopolizing power over the property of a whole people, and therefore dangerous alike to the welfare of individuals and the prosperity of a country ; but of course must prove greatly more so when united, as at present in Bengal, with unlimited sovereignty.

With respect to the latter, we mean the servants of the Company, they directly or indirectly monopolize whatever branches they please of the internal trade of those countries, whether of provisions and the necessaries of life, or the raw materials for manufacturing : in which kinds



of commodities, without full freedom of dealings, no country can ever be made, or kept prosperous; nor will a trading one in such a situation long subsist; as, if speedy remedies be not applied, the Company and this nation must, and will very soon experience, in the fatal effects of the evils resulting from such a conduct, on the manufactures, revenues and trade of the subjected Bengal provinces.

Many of the evils under which Bengal has laboured for some years past, as we have observed in another place, may truly be said, in a great measure, to have originated in Leaden-hall-street, from the ignorance, or worse, of Directors; from the continual changes and fluctuating state of that Court, as well as of the General Court of Proprietors; and for want of a permanent system of government adequate to the altered state of the Company's affairs in those distant regions. No stronger proof can be given of the defective constitution of this Company, or of the incompetency of the Courts of Directors, than the very necessity which the present Court have thought themselves under of having recourse to the expedient of sending Supervisors to India; which, after all, unless a system be adopted very different from any we have hitherto seen, will most probably prove as ineffectual as every other merely temporary expedient has done in India affairs, or any others.

The temptations to and the opportunities which the situation of the Company have afforded of late years for the sudden acquisition of wealth and power, both at home and abroad, have been great and numerous, and such as few men have the virtue to withstand; while they have served to establish a variety of interests, combating each other, among all ranks of persons interested in the society, distinct from all prospects of advantage from the joint trade, and even often repugnant to the interests of the nation. While such continue to be the situation and government of the Company, it will be contrary to reason, the nature of the human passions, and indeed of all experience, to expect other management, or other consequences, let whatever set of men be in the direction of their affairs, either in England or India. Upon the whole, the Company, in its present situation, may be compared to a stupendous edifice, suddenly built on a foundation not previously well examined or secured, inhabited by momentary proprietors and governors, divided by different interests opposed to each other; and who, while one set of them is overloading the superstructure, another is undermining its foundations.

## C H A P. XVI.

## C O N C L U S I O N.

**A**FTER so ample a discussion of the various subjects of these sheets under distinct heads, we shall now proceed to draw certain important conclusions from the whole, and then submit a few cursory observations to the consideration of the public.

It may be deemed ridiculous in any man to suppose, that a far-distant country will be long kept in peaceable subjection by any other ties than justice, humanity and convenience. Even ancient Rome, when she was mistress of the world, could not, with all her armies, secure the peaceable submission of any distant provinces, and particularly those of Asia, under a rapacious and oppressive government. By no means, but such as are attractive of good-will, can hundreds keep themselves in security against millions, nor will any supposed difference in the natural, or acquired vigour of mind or body, warrant opinions of safety against such odds in numbers.

After perusing the several cases and accounts of transactions which are contained or referred to in the preceding chapters, the reader will hardly entertain a doubt, whether the mere will of power has not been the sole rule of justice in Bengal, either with respect to dominion, property, personal safety, or the infliction of punishments next to death? or whether the President and Council, or whatever kind of junto has of late years been appointed to rule at Calcutta, by the Court of Directors in London, have not there exercised such unbounded despotism as was wholly incompatible with the laws of this kingdom, those of humanity, or such as would be thought intolerable even in Turkey or Barbary?

It can no longer be doubted, that the pretence of governing Bengal by a *Nabôb*, under a *Great Mogul*, is a most scandalous imposition, those puppets of sovereignty being no other than pensioned instruments of imposture and tyranny: while the annual charge upon the revenue for the support of those pageants in sway, has at one time been above a million sterling; though perhaps those deductions from the Company's income have been made, in no inconsiderable degree, a fund in reversion for the private purses of the governing Europeans in those countries: and while the wretched, innocent natives, bereft of every

protection from the justice of their own country, have thereby also been effectually deprived of their indisputable right of appeal to the laws of this kingdom, against the ruling servants of the Company or those dependent on them.

It has been clearly made evident, that for the last six years past very oppressive monopolies have been established by the chief servants of the Company in Bengal and its dependencies ; so that not only the whole of the inland trade, which was ever free by the constitution of those countries to all who would pay the established duties, but even the very coasting trade, in many particulars, have alike been made jobs, and partially engrossed, to the obstruction and injury of the many, for the enormous advantage of the few ; that the monopoly of the inland trade, as now exercised on account of the Company itself, is become the most grievous and oppressive of all others, as it is under the sanction of their purchases, that all oppressions in this department are effected ; that such monopolies exclude even the very natives from all free trade, whose situations are rendered the more insupportable, as the very public regulations made for the establishment of those ruinous monopolies, are pretended to be made for their benefit. It is true, that some appearance of freedom in exports has always been preserved in the subjected Bengal provinces : but yet there have been such obstructions and embarrassments in dealings, and such monopolizing of workmen, as long ago occasioned great complaints to be made by the French, Dutch and Danes. The causes of them still exist, to the great grievance of the people, and the no less injury of the country ; while some of the known consequences of those evils have been, the loss of foreign trade on the back-parts of the provinces, from which great wealth was formerly derived to them ; the lessening of a similar resource from the trade of the other disgusted companies, and so great a scarcity of money in circulation, as, if the draughts from thence for China and the other parts of India be continued, will soon leave those provinces in want of a sufficiency of specie to serve even as a medium for dealings.

Nor less apparent has it been made, that power, law and justice, as well as trade, all operate as monopolies in Bengal ; by which means the manufactories are going to destruction, and population is decreasing, to the great lessening of the revenues of those countries ; while the very revenues have been so mismanaged, wasted, or misapplied, as to make even the possession of empire menace the Company with distress, if not ruin.

Equally certain has it been made appear, that every principle of true policy has been inverted in practice, not only to the unpeackable injury  
of

of the natives, but the effectual discouragement, nay ruin of European settlers: though on the most ample protection of the former all prosperity must depend, as security will, in a great measure, on the encouragement and increase of the latter. Our first assertion is self-evident; and in some degree the other has been heretofore experienced, when the trading settlers, as well as the civil servants, on several occasions voluntarily took up arms in the cause of the Company. Lord Clive long ago \* informed the Court of Directors, that no dependence could ever be placed on the powers of the country for any thing but treachery, and, should a favourable occasion offer for it, the worst of all treatment. And indeed, in future times of war and danger, it may be found impossible for the Company to keep up European forces sufficient for all kinds of service, in the conquered provinces, without promoting the free emigration of British subjects to India.

On the principle of defence, therefore, it would be the highest wisdom in the Company to give every possible encouragement to their fellow subjects at all times to go and settle under their protection in Bengal: as an extensive population that is interested in the defence of a country, must naturally be its most safe and effectual support; as well against foreign invaders, as such natives as may be inclined to revolt. But we have seen the opposite policy, with respect to those countries, uniformly pursued abroad; while the present Directors, contrary to former practice, have adopted a system of even discouraging the emigration of free merchants and free mariners to India; which should we attribute to ignorance, it would be supposing them unqualified for the direction; and if to design, it might be considered as an indirect accusation of their wilfully favouring such monopolies and abuses, as are ever the fruits of the worst kinds of government; nay it might even lead to the supposition, that such abuses could be made the means of serving the purposes of Directors as much at home, as they have been known to do those of their favourite substitutes abroad.

The double governments for Indian affairs, since the acquisition of the important territories which were subdued by the subjects and forces of the state, have been equal absurdities on both sides of the globe. It is even disgraceful to the nation to hold them under such flimsy disguises as pretended grants of official contracts from merely nominal Princes, unknown to, and unacknowledged by every power in the world, except such as make or wish to make the same temporary uses of them, as the English East India Company have done. There is some-

\* See AUTHENTIC PAPERS concerning INDIA AFFAIRS, pages 29 to 31, &c.

thing excessively ridiculous in the very idea of vesting a body of mere traders with unlimited sovereign-authority, and setting them between the real Sovereign and people of this kingdom, and two mock Sovereigns and the whole people of the Bengal provinces, to play securely their own game of advantage, to the prejudice of all the other parties, unless their state pageants in India, who at least get princely incomes by acting farcical characters.

No real security, either to the Company or kingdom, can ever be derived from nominal Nabôbs, or Moguls: for if their grants have not full force, but are disputable, they have had immense annual stipends paid them to no kind of purpose: and if the authority they have been made to assume be of real efficacy in India, or Europe, then must such grants be not only resumable at pleasure, but even transferrable at will, and of course at any time obtainable by the national rivals or enemies of Great Britain, for pretences to attack her in, or deprive her of such possessions; whether as territories, farms, official contracts, or employments. Such disguises, therefore, are not more ineffectual than they are dangerous; and could only have been contrived for temporary coverings to deceit and imposture, though their transparency discovers apprehensions that disgrace the nation, and may furnish pretences to others for questioning that right which would otherwise be thought clear.

When the Portuguese acquired their first territorial possessions on the coasts of India, their Kings stiled themselves, as they continue yet to do, Lords of the commerce and navigation of Ethiopia, Arabia, Persia, and India: and we know of no nation's ever disputing those titles, or their right to any territories they had obtained. Innumerable are the instances of possessions gained by conquest, and likewise even by treachery, that were either never contested by other nations, or else were religiously maintained by power against all opposition. We well know how the Dutch and Spaniards got their possessions in Asia and America, and likewise how speedily they enjoyed them in peace, with an undisputed title of right. By whatever means the East Indian provinces were obtained by the Company, they now are indisputably the Property of the State: and as there is no person in India who can claim them as his right, so is there no power in Europe which has any right to dispute His Majesty's title to them both by conquest and peaceable possession. The political establishment in Bengal, in the year 1765, was therefore as unnecessary, as it has since been experienced to prove pernicious; and certainly, if continued, it will be found ineffectual for the purposes pretended: and the affected fears with regard to foreign powers,

powers, on the avowal of English Sovereignty over the conquered provinces, which were then so industriously infused into the minds of Directors, were evidently as groundless and idle as they most probably were insincere.

With regard to any apprehensions that might be entertained concerning the effect likely to be produced by the Sovereign's avowal of his right to those dominions, and taking the administration of their Government under his immediate care, on constitutional considerations of endangering public liberty by such an addition to crown-influence; the same reasoning will hold good against all future establishments from new discoveries; and if it had been formerly admitted, this nation would not now have been in possession of its North American and West Indian Colonies, with the immense advantages resulting from them.

The Sovereign of Great Britain is now an Asiatic Potentate, more capable perhaps of annoying or protecting than any other Power of the East; so that His present objects should be far superior to those of merely supporting the monopoly of any particular community of traders, who perhaps are no longer necessary for serving even the ends for which they were incorporated. The question now is not simply, if an incorporated exclusive Company can carry on the trade to and from the East Indies to greater national advantage than the whole subjects of Great Britain at large? but it comprehends another, which is, if one, two, or at most three men (for it is well known there always is such a junto of leaders in the Committee of Correspondence) from among twenty-four Directors annually chosen, who are moreover embarrassed with their own as well as the Company's commercial affairs can, at the same time, govern or conduct the Sovereignty of large wealthy and populous kingdoms, at such a distance, to greater national security and advantage than the King, Lords and Commons of Great Britain?

Without entering into a discussion of the first question, upon which, after the numberless tracts that have been published for an hundred and fifty years past, nothing new can now be said, we will however venture to assert, that with respect to Bengal every argument in favour of that monopoly, which was formerly used with some \* appearance of reason, while

\* The reasoning of Sir Josiah Child upon this subject, to whose Opinions on Trade some have justly given great weight, was as follows;

"It has for many years been a moot case, whether any incorporating of merchants be for public good or not,

"For my own part I am of opinion,

"*1<sup>st</sup>*. That for countries with which his Majesty has no alliance, nor can have any by reason of

"their distance, or barbarity, or non communication with the Princes of Christendom, &c.  
"where

while the trade thither depended upon the country powers of Hindostân, not only falls to the ground now that the English are become Sovereigns, but militates with double force against the continuance of such exclusive trade to those subjected countries, where perhaps it would not only be right to lay the trade open to all British subjects, but likewise politic, under certain limitations, to encourage as much as possible even the ships of all other European nations to frequent those Indian ports. But whatever may be the sentiments of individuals on this point, with respect to the second question, it will be generally granted, that a commercial country with a despotic Sovereign who is the only merchant, as is, in fact, the present condition of Bengal, must be in a situation the reverse of prosperity, that of swift approach to ruin: and if it be admitted, that all resources which this nation can hope to reap from those subjected dominions, must depend entirely on their prosperity, it will then follow that there is become an absolute necessity for the British legislature to separate the Merchant from the Sovereign, for the preservation of both.

“ where there is a necessity of maintaining forces and forts (such as East India and Guinea)

“ Companies of Merchants are absolutely necessary.

“ 2d. It seems evident to me, that the greatest part of those two trades ought, for public good, to be managed by joint stock.

“ 3d. It is questionable to me, whether any other Company of Merchants are for the public good, or hurt.

“ 4th. I conclude, however, that all restrictions of trade are nought; and, consequently, that no Company whatsoever, whether they trade in a joint stock, or under regulation, can be for public good, except it may be easy for all or any of his Majesty's subjects to be admitted into all or any of the said Companies, at any time, for a very inconsiderable fine; and that “ if the fine exceed 20 l. including all charges of admission, it is too much.”

DISCOURSE OF TRADE, Chap. III.

Such was the reasoning of even Sir Josiah Child, who having for several years been Governor of the East India Company, must be supposed to have been as favourable to the cause of the monopoly as any present Leader of the Company naturally would be. But from Sir Josiah's conduct in the management of the Company's affairs, there is farther reason to conclude he was not the most impartial of judges upon this point. In the year 1691, upon the death of Sir John Child (a relation of Sir Josiah's) a Mr. John Vaux succeeded to the Government of Bombay. Mr. Vaux had been book-keeper in England to Sir Josiah Child, and by the influence of his patron had been appointed judge in civil affairs. When Sir Josiah, after reminding him of favours, admonished him to practise severity towards all those who should dare to question the Company's power over English subjects in India; adding, that he expected *his orders* should be observed and obeyed as laws. To which Mr. Vaux replying, that he, grateful for all past favours, would strive to acquit himself with integrity and justice, resolving the laws of his country should be the regulators of his conduct, Sir Josiah angrily answered him, “ That he expected *his orders* were to be rules to him; and not the laws of England, “ which were a heap of nonsense, compiled by a few country gentlemen, who hardly knew how “ to make laws for the good government of their own private families, much less for the regulating “ of companies and foreign commerce.”—“ I am the more particular” (continues our Author) “ in “ this account, because I saw and copied both those letters in anno 1696, when Mr. Vaux and I were “ prisoners at Surat, on account of Captain Evory's robbing the Mogul's great ship called *The “ Gunfway.*” See ALEXANDER HAMILTON's *Account of the EAST INDIES*, vol. I. page 232, &c. printed in 1727.

Whenever justice and personal security are made effectual, by an equitable administration of Government *throughout* the Bengal provinces, the immense capitals of many of the Indians, which are now locked up, will be all immediately and openly employed in commerce, to the great benefit of those countries, and, eventually, of this kingdom. There would be soon no want of money to answer all the honest purposes of the husbandman, the manufacturer, the dealer, or the merchant: so that instead of having the wonderful powers of those countries cramped and rendered useless, and in danger of being ruined or lost, as must otherwise soon be the case, an ample field would be opened for the most strenuous exertions of all human abilities, which would soon put those provinces on the most flourishing footing, to the great advantage of the British State.

Such laws as are requisite for those salutary purposes, a mere monopolizing Company can never have power to make, nor perhaps ever will have the vigour or inclination effectually to execute.

Whatever lures the Directors may now hold out to the nation, in applications for a new charter of justice, and other pretended salutary regulations, by which they would appear to atone for past misconduct, it may be proper to recollect, what the effects proved of their obtaining the last charter of justice; as we may from thence conclude, with respect to another, that under the pretence of remedying one defect, a thousand new evils will be introduced. Even the chief servants of the Company abroad, while things are suffered to remain on their present footing, will be continually infusing into the minds of temporary Directors at home opinions that are erroneous, on the view of favouring such schemes as they will be continually contriving for the serving of themselves. We do not mean here to condemn promiscuously all the servants of the Company abroad, among whom there are some Gentlemen of the greatest honour and integrity; but that does not invalidate our general conjecture, which is justified by the experience of what has past of late years. Nothing therefore but the establishment, by Parliament, of the strongest constitutional checks on the executive power in Bengal, can ever secure to the natives, or to those who settle there under British protection, an equitable and honourable Administration of Government.

It is a fact well known abroad, that the late minister of France, the Duke de Choiseul, gave up as totally overset, all his schemes regarding the East Indies, upon his first hearing a report, current in the year 1768, that the Crown of Great Britain was going to take into its hands the government of the territorial possessions held by the English East India



India Company. It was the only thing the French then dreaded ; it is the thing which they now most wish to see delayed, till they have an opportunity of striking a *coup d'éclat* in those regions: and it is the only measure which can secure the happiness of the many millions of his Majesty's Asiatic subjects; the ample resources which might, by proper management, be drawn from thence, in an uninterrupted channel, for ages to this nation, or even the possession of the very territories themselves, or of any advantage whatsoever from those possessions.

Whatever may be determined by the wisdom of the British legislature, the following powers, as exercised by the Company in Bengal, it is humbly conceived, must be taken from them, to prevent their destroying themselves.

*First.* The power of obstructing, perverting, influencing, or interfering with the due course of justice.

*Second.* The assumed power, in all cases, of seizing their fellow-subjects, and of imprisoning, and transporting them to Europe without trial, or any form of legal process.

*Third.* All powers of oppression through the pretended country-Nabôbs; and under their cloke of obstructing, fettering and monopolizing the inland trade *in* Bengal; which is no way requisite for the carrying on of their exclusive trade *to and from* India, in an equitable and beneficial manner, but on the contrary, is totally repugnant thereto.

*Fourth.* The power of preventing any British subject whomsoever from going to reside or establish himself in India, who is desirous thereof, and willing to submit to the laws of the community.

To effect in part, the first and third of these salutary restrictions, without which the inhabitants can never be secure either in person or property, the following are submitted to the consideration of the public, as hints of what will be necessary.

- 1st. To render the Mayor's Court of Calcutta totally independent of the Governor and Council.
- 2d. A Court of Appeals to be established, independent either of the Governor and Council, or any other power in India.
- 3d. A certain number of the members of the Court of Appeals, of the Mayor's Court, and of the Company's Council, to be constituted Justices of the Peace and Joint Commissioners of Oyer and Terminer and General Gaol Delivery.
- 4th. Not to confine the jurisdiction of his Majesty's Courts, as at present, within the *Masabtah* Ditch which surrounds Calcutta; but

to extend it at least to all the Company's principal factories at Burdwan, Midnipore, Chittigong, Dacca, Patna, Cossimbazar, &c. where the natives should have the same facility of obtaining justice against European oppressors or their agents, as in the capital settlement of Calcutta.

Notwithstanding what interested persons may alledge, in order to baffle this last most necessary regulation, that it would introduce confusion, and be impracticable, from the religious tenets and customs of the natives, we assert that there would be no confusion or inconvenience whatever from it, provided some very simple regulations were made, such as neither East India Directors, nor the Legislators of this Kingdom can want information of, whenever they are seriously inclined to establish a right system of justice for the government of Bengal.

The inhabitants, who, as we have observed, are groaning under the most unbounded despotism, would receive any such regulations with the utmost joy: and it may rationally be hoped, that those we have already hinted at would at least put a stop to the most hurtful enormities, till the British government could be enabled to judge of their efficacy, or have time to form a system, suitable to their own wisdom, that might prove as lasting and effectual as could rationally be expected from any human institution.

The *second* power we have mentioned, as assumed by the Company, would naturally be abolished by the regulations already recommended. But in order to prevent this species of kidnapping in India, which has been hitherto practised by the Company, under the pretended sanction of the legislature, something more is necessary.

By an act of the 31st of Charles the Second, entitled, "*An act for the better securing the liberty of the subject, and for prevention of imprisonments beyond the seas,*" it was enacted, that "if any inhabitant of England should be seized, imprisoned, transported, or sent a prisoner into any places beyond the seas, contrary to that act, every such imprisonment should be adjudged illegal, and the party aggrieved might thereupon maintain an action, or actions of false imprisonment, against the person or persons who so imprisoned him, or against any person or persons that should frame, contrive, write, seal, or countersign any warrant or writing for such commitment, detainer, imprisonment, or transportation; or should be advising, aiding, or assisting in the same, or any of them; and the plaintiff, in every such action, should have judgment to recover his *treble costs*, besides *damages*; which damages so to be given, it is enacted, shall *not* be less than *five hundred pounds*. In which action, no delay, stay, or stop of proceeding,

by rule, order, or command, nor no injunction, protection, or privilege whatsoever, nor any more than one imparlance shall be allowed, excepting such rule of the court wherein the action shall depend, made in open court, as shall be thought in justice necessary, for special cause to be expressed in the said rule. And the person or persons who shall knowingly frame, contrive, write, seal, or countersign any warrant for such commitment, detainer or transportation, or shall so commit, detain, imprison, or transport any person or persons contrary to this act, or be any way advising, aiding or assisting therein, being lawfully convicted thereof, shall be disabled from thenceforth to bear any office of trust or profit within the said realm of England, or any of the dominions thereunto belonging. And shall incur and sustain the pains, penalties and forfeitures limited, ordained and provided in and by the Statute of provision and premunire, made in the sixteenth year of King Richard the Second, and be incapable of any pardon from the King, his heirs or successors, of the said forfeitures, losses, or disabilities, or any of them." And it is well known, that the 43d article of MAGNA CHARTA runs thus. "No freeman shall be taken, nor imprisoned, nor disleized, nor outlawed, nor exiled, nor destroyed in any manner; nor will we pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land."

While such, therefore, continues to be the avowed practice of the East India Company in opposition to the letter and spirit of the fundamental laws of this country, it would appear that Britons who go out to India in their service, and who should rather on that account be entitled to every indulgence, on the contrary are made to forfeit the privileges of their birth-right by such emigration. The losses and hardships suffered by a subject seized in India and brought away by force, and the bad consequences thereof to the community, from what we have already shewn, must be allowed to be an hundred-fold greater than those sustained by a person's being kidnapped in England. We have also in another place shewn, that the use of this power is even contrary to the true interests of the Company, as the free exercise of the British laws in India must be the best check, and perhaps is the only controlling power which they want, or can have over their own superior servants. There is therefore, for the sake of public credit and security, not only a necessity for formally declaring all such seizures and transportations illegal, but for establishing such legal penalties and forfeitures, upon the plan of the act already quoted, as shall effectually prevent such oppressions in future: and it is presumed the British legislature, after being acquainted with the enormities practised in Bengal, as set forth in these pages, will be willing to withdraw their

their pretended sanction from such practice, and to declare their disapprobation of the Company's seizing, imprisoning, transporting and ruining their fellow-subjects, *unacknowledged and unheard*.

The fourth power possessed by the Company, which is that of preventing British subjects from going out and establishing themselves in India, is also alike unnecessary, and repugnant to the real interests of the subjected countries and this kingdom. Instead of preventing or discouraging Europeans, on the contrary, every encouragement should be given to them to go out and establish themselves in India, as well for their being the most natural security of the conquered countries, as for the instruction of the natives in the European arts, in the cultivation and manufacturing of all the articles produced in those countries, in almost every one of which there is room for great improvements by such means. The Company should, therefore, either be deprived of this power totally, or at least be obliged, without the power of a negative, to permit every person's going out who shall apply for leave, under certain equitable regulations.

The foregoing are only considerations and hints, which the writer of these sheets, as a sincere well-wisher to this Kingdom, hath presumed respectfully to submit to the public, to be improved on by those who may know better than himself what is fitting to be done. It is now the turn of Great Britain to avail herself of those advantages which a series of fortunate circumstances have thrown in her way. She has as yet in her possession the prime part of Hindostan, which, with proper management, might be rendered the richest jewel in the British Crown, by being made an inexhaustible source of extensive commerce, maritime power and national wealth. She has in full view before her, the rocks on which her predecessors have split in India, the imminent dangers to which she is at present exposed; and perhaps she has no time to lose in preparing to escape them.

It does not require the gift of prophecy to foretell, if the affairs of the Company in India, but particularly in Bengal, continue to be administered for a few years longer in the manner they have been for some years past, that those countries will be irretrievably ruined, and the exasperated natives must seek their own relief or revenge, by insurrections and massacres. If therefore the Legislature should longer withhold their effectual protection and paternal care from the oppressed Asiatics, they will hazard all the resources which Bengal at present may be said to offer to this Kingdom: and if the Proprietors of East India Stock should refuse their effectual and hearty concurrence in every salutary measure for the relief of the native inhabitants, they will justly deserve to suffer

suffer the loss of such of their property as depends on the trade and possession of the Bengal Provinces.

Were there even a possibility of the Interests of the India Company and the Happiness and Prosperity of the Natives of those countries which are under their dominion being repugnant to each other, the advantages derived from the connection would be of very short duration. Humanity must revolt at the thought: The Honour of this Country never can consent, for the paltry consideration of a short-lived pecuniary emolument, to effect the devastation of such rich and fertile countries, and the extirpation or ruin of so many millions of civilized, inoffensive and industrious inhabitants; or to sacrifice those solid and permanent advantages which might be derived to this country from a proper System of Government.-----Thus much is due from the Writer to those Distressed People, to whose unrestrained industry he chiefly owed that Fortune, of which he has been deprived by the Oppression of the East India Company.





# G L O S S A R Y.

## A.

*ABDALLA* *Sbab*, king of the Durannies.—*Abdalla*, in Arabic, signifies the slave of God, from *Abd*, a slave, and *Alla*, the name or attribute of God; and *Sbab* implies king.

*Afghins* are those tribes of Mahomedans who inhabit the northern parts of India, called sometimes Pattans, and esteemed the best soldiers in the country.

*Anna*, the sixteenth part of a rupee.

*Affammies*, dependents, or any persons on whom a claim is made.

*Attock*, the name of a river that separates the province of Lahore from Peishor, the stream of which is mostly so very rapid, that there is but one place where an army can conveniently pass it.

*Aumén*, a Supra-visor, or officer employed by the government to examine and regulate the state of the revenues of any district.

*Aumil*, } An officer of the revenues, inferior to both an Aumén, and Ze-  
*Aumildar*, } méendar.

*Aurungs*, places where goods are manufactured for sale.

## B.

*Banyán*, a Gentoo servant, employed in the management of commercial affairs.

*Barjiut*, an oppressive custom of forcing the natives to buy goods beyond the market price.

*Batta*, exchange, also diet money, allowed to the troops in the field.

*Bazar*, or market, where all articles of life and luxury are daily sold.

*Bégum*, a princess, a title given to every lady of rank.

*Bégab*, a measure of lands—see note at the bottom of page 221 of the Appendix, for a particular explanation of this measurement.

*Béttle-leaf*, the name of an aromatic leaf, growing like a vine, which the natives of India of all ranks constantly chew, with the nut called beetle-nut, and other ingredients, between their meals.

*Béttle nut*, the nut of a tall slender tree, eat with the beetle-leaf.

*Bercundás*, a match-lock man.

*Board*, in this publication always implies the governor and council at Fort William in Bengal.

*Buxy*, or rather *Bukby*, a pay-master.



## C.

*Callárry*, a salt work.

*Canongoes*, registers of the Subah or province appointed by the sovereign.

*Cawn*, properly *Kban*, a lord, a title given to every man of rank.

*Cbókies*, watch-houses; also places appointed in different parts of the country for collecting the public customs and duties upon all branches of foreign and inland trade, passing through those districts, not included in dustuck privileges.

*Cbokeydár*, the officer of a guard.

*Cbout*, a fourth part. Commonly used for the tribute of the fourth part of the revenues which the Maharattas have endeavoured to impose on the Subah of Bengal.

*Cbontárry*, a Bengal corruption of *Cbout*.

*Ckédwárábs*, land-holders, in the next rank to Zeméen-dars.

*Cbúklab*, the jurisdiction of a Fouzdar, who receives the rents from the Zeméen-dars, and accounts for them with the government.

*Cbunár-gur*, a very strong fortress belonging to the Nabob Sujah al Dowlah, in the province of Oud, within about 7 cofs of Benâres.

*Cbunám*, lime.

*Comár lands*, having no native tenants, are lands cultivated by contract.

*Cofs lands*, are lands under the immediate superintendence of government, for want of farmers.

*Cofs* or *Cofé*, a measure they commonly compute distances by in India, and is about two geometrical miles, or 4000 yards.

*Cooley*, a day-labourer.

*Cowries*, shells that pass for money in Bengal, 80 *cowries* are called a *pun*, and from 50 to 60 *puns* are commonly the value of a rupee.

*Cissoie*, an allowance upon the exchange of rupees, in contradistinction to *Betta*.

*Cutchárry*, a court of justice; also the office into which the rents are delivered.

*Cutáall*, an inferior officer of the police, whose business is to try and decide petty misdemeanors.

## D.

*Didney*, money advanced for goods.

*Dindee*, a waterman or rower.

*Dawks*, stationed letter-carriers, at stages of about 10 miles distance, for the conveying of letters express.

*Delál* or *Dallál*, a broker.—See *Pykar*.

*Dewán*,—for a description of both the original and present idea of this office, see Appendix, pag. 136, paragraphs 13 and 14.

*Dewán-coona*, the Dewán's court or office.

*Dewánný*, see Appendix, pag. 41.

*Leroobúsh Purgunnabs*, whole or entire *purgunnabs*, which depend entirely on a single Zeméen-dar.

*Dbee*, the ancient limits of any village or parish; thus *Dbee Calcutta* means only that part which was originally inhabited.

*D oza*, or *Daréga*, an overseer or superintendent.

*Dússier-conio*, the office for keeping the government's accounts.—In common usage, any office or computing-house.

*Dwáár*, the court of any great man.

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*Duffore*, a custom or fee.

*Duffuck*, a passport, or permit; but usually implies the passport given by the governor of Fort William, or the chiefs of the English factories, for the goods of the company or their servants, which exempts them from the payment of duties.—See *Chokies*.

## F.

*Firmáun*, literally signifies an order, but is used for a patent or grant from the emperor;—and, among the English, always means the charter which the company obtained from the king Furrukhseer, by which they hold their privileges.

*Ferd Huckeckút*, a manifest or memorial.

*Ferd Sawál*, a petition.

*Fowzdár*, the chief magistrate of a large district, called a Chuklah.—See *Chuklah*.

## G.

*Gaut*, a landing-place where customs are usually collected.

*Gaut-barry*, or *Kat-barra*, a tax levied upon boats at the Gauts, or Chokies.

*Ghazi al din Khan*, signifies the illustrious champion of religion.—This great but wicked prince was the vizier who murdered the father of the present emperor of Hindoostan, in 1760.

*Ghee*, clarified butter.

*Golah*, a warehouse, usually constructed with mat or mud walls, and covered with thatch, for keeping grain, salt, &c.

*Gomástab*, a black agent or factor.—See *Pykars*.

*Gunge*, a market principally for grain.

*Gunnies*, coarse canvases, for bags, wrappers, &c.

*Guzerbáun*, an officer who collects the customs at the ferries.

## H.

*Haut*, a market on stated days.

*Hazárry*, a commander of gun-men, literally a commander of a thousand.

*Higra*, or *Hyra*, the flight of Mahommed from Mecca to Medina, from which the Mahomedan æra commences, happened on the 16th July, A. D. 622.

*Hircárra*, a spy.

*Hindoostán*, India is known in the East by the name of *Hindoostan*, which signifies the country of the *Hindoes* or swarthy people; *Hind-o* being swarthy or black, and *Stan* a country. The capital whereof is Dehly, which, since Shah Jehan removed the seat of empire thither from Agra, in the year 1647, is usually known in the East by the name of Shah Jehan-abad, or Shah Jehan's habitation; as Agra is often called Akbar-abad, or Shah Akbar's habitation; and is about 44 measured Cois from Dehly.

*Huá-ul-bookúm*, a patent or order, under the seal of the Vizier, with these initial words signifying "according to the command."

*Huck A'wazeerut*, the fees of the Vizier.

*Huáboods*, rent-rolls, of either a grand division or lesser districts of land.

*Hyder-ábád*, the capital of Nizam Ally, Soubah of the Decan; it was formerly called Bhagnagur, and is about 371 miles distant from Dehly. There is a castle

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in this province called *Golconda*, by which name the whole province is usually known in Europe. *Hyder-abad* signifies the habitation or residence of *Hyder*, the Arabic appellative for a *lion*, a title often given to men of rank in the East.

## I.

*Islám*, which literally signifies safety, usually means the true faith, according to Mahomedans.

*Jagbér*, an assignment of any part of the revenues of the state for military service.

*Jingles*, or rather *Junguls*, thickets of wood, high grass, or reeds.

*Júmna*, valuation.

*Júmna bundy*, a rent-roll.

*Jemmdut-dar*, or *Jámadar*, a military commander; also the head or superintendent of the peons in the Sewáury, or train of any great man.

## K.

*Kátbarra*, see *Gaut-barry*.

*Kazze*, or *Kázy*, the chief magistrate appointed to administer justice in all causes to the Mahomedans, according to their written law; he being generally a person of the greatest repute and learning, a copy of any writing attested by him is authentic.

*Kílla*, a fort, or citadel.

*Kelladár*, the governor of a fort.

*Kerria*, a parish or village.

*Kbálja Sberéefa*, whatever accounts belong immediately to the emperor are called *Kbalsa*; the word *Sberéefa* added to it, implies noble or magnificent.

*Kíffmut*, a division;—*Kérria Kíffmut*, part of a parish, being such a proportion as is included in the Sunnud.

*Kíft*, the amount of a stated payment.

*Kíftbundee*, an agreement for the stated payments of a sum of money, to be discharged at different times.

*Krore*, a hundred lacks, or ten millions.

## L.

*Lack of Rupees*, or one hundred thousand: a rupee is a silver coin, struck in the Moghul mints, with an inscription of his name and titles, the year of his reign, and the place it was coined at. There are various species of rupees annually coined in India, differing a little in both weight and quality. The best are the Siccas of the current year, worth about 2s. 6d. sterling. See *Sín*.

## M.

*Mahál*, any land, or a public fund, yielding a revenue to the government.

*Mahál Serái*, the women's apartments.

*Mabowmed*, which signifies *praised*, is prefixed (or understood to be so) to almost every Mussulman's name. It is a Tetragrammaton, or word of four letters; namely, *Mim*, *Hha*, *Mim*, *Dal*, which, with the *Telbád* over the latter *Mim* to shew it must be doubled, properly make five characters.

*Malguzárry*, the land-revenue.

*Maba Raja*, signifies *the great prince*; *Maba* being *great* or *mighty* in the Sanskreet or Bramin's language, and *Rajak*, *prince*.

*Manjet,*

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*Manjée*, the helmsman of a boat.

*Mangban*, or *Māngon*, a tax or imposition levied by the officers of the Chokeys and Gauts, as a perquisite for themselves and Zemēndars.

*Mauud*, a variable weight. In Bengal from 72 to 80 lb.

*Mabūr*, a seal; also a gold rupee of variable value, worth from 12 to 16 silver rupees.

*Mabbōree*, any writer, or under clerk, among the natives in Bengal.

*Molāngbee*, a worker of salt.

*Māūza*, a parish or village; but properly signifies a *place*.

*Mākhāudam*, a superiour officer of the revenues in a village, the same as *Chowdry*.

*Mānsby*, a secretary for the Persian language.

*Mānsūb*, a dignity, or title.

*Mutshūlcab*, a written obligation.

*Māfūd*, an elevated place of distinction in the Durbar, covered with a cloth, or carpet, for the prince to sit on; also a throne.

*Mutstāfīdee*, a general name for all officers employed in taking the accounts of the government, or of any person of consequence.

## N.

*Nabīb*, (properly *Navāb*, being the plural of *Nabī*) a title given to every person of noble rank. By pre-eminence it is generally used to signify the *Nazīm*.

*Naiib*, a deputy.

*Nuncār*, or rather *Nancār*, an allowance in an assignment upon the revenues, or the lands themselves, given as charity for the relief of the poor.

*Nazīm*, the first officer of a province, in whose hands the executive power is lodged; by way of distinction he is styled the Subah-dar, or Nabīb.

*Naic*, a subaltern officer of the Sepoys, of the rank of a corporal.

*Neabut*, a deputyship.

*Nūzzer*, a present to a superior.

*Nūzzer āna*, a sum paid to the government, as an acknowledgment for a grant of lands, or any public office.

*Nizamūt*, the office, or post of a Nazīm.

## O.

*Omrab*, plural of the Arabic *Amīr*, which signifies *prince*, is a title given to all the nobility of the first rank in the Mogul empire.

## P.

*Peon*, a footman, or attendant, armed with sword and target.

*Purgūnab*, or *Pergāna*, the largest division of land in a Zemēen-darry.

*Pirūānnab*, a grant, or letter under a great seal, from any man of power to a dependent.

*Pēshcush*, a tribute paid to the crown, as an acknowledgment for any tenure.

*Podār*, a money-changer, or teller, under a Shroff.

*Pulwār*, a light boat used for dispatches.

*Pike*, a watchman employed as a guard at night.

*Pōonab*, the time for adjusting the estimate of the revenues to be collected the ensuing year.—See Appendix, page 136, paragraph 14.

*Pottabs,*

*Pottabs*, leases containing the quantity of land possessed by each farmer, and the amount of rent with which it is charged.

*Pykars*, (*Dellols*, and *Gomdabs*) are a chain of agents through whose hands the articles of merchandize pass from the loom of the manufacturer, or the store-house of the cultivator, to the public merchant, or exporter.

*Panjáb*, or *Panyáab*, the ancient name of the province of Lahóre; it signifies the five waters or rivers, so many running through that province, and falling into the river Scind, known in Europe by the name of Indus.

## R.

*Rájab*, a title given to every Gentoo of rank,—in the Indian language signifying prince.—originally it was appropriated only to the principal *Zeméen-dars*.

*Ránnce*, princefs.

*Rorwána*, a passport or certificate from the collector of the customs.

*Roy róyan*, the principal officer under the Dewán, who has the immediate charge of the crown lands.

*Rissála*, an independent corps of horse.

*Rissáldar*, the commander of such a corps.

*Rupce*, a silver coin worth about 2s. 6d.—See *Lack of Rupees*. See also *Sun*.

*Ryat*, or *Reiat*, a tenant or farmer.

*Resident at the Durbar*; for a description of the nature and duties of this office, see Appendix, page 137, paragraphs 15 and 16.

*Ryóttí lands*, or lands farmed out, tenanted and cultivated by the natives on the spot.

## S.

*Seer*, the fortieth part of a Maund.

*Sepoy*, a soldier.—This word is generally used for the Indian infantry, disciplined after the European manner.

*Srái*, a halting place for travellers.

*Sezawry*, the train of attendants who accompany any principal person on the road.

*Sezarawúl*, the same as *Tahsildar*.—An officer employed at a monthly salary to collect the revenues.

*Shah*, king, or emperor.

*Shah Aalam*, or *Álum*, (the title of the present emperor of Hindostan,) signifies king of the world.

*Shah zâda*, the king's son, or more properly *royally born*; because it is a title equally applied to both the sons and daughters of kings.

*Sheráf*, noble, magnificent.

*Sbroff*, properly *Serif*, a banker, or money-changer.

*Sicca*, any new coin; it means *stamped* or *sealed*; but is particularly used for the standard silver rupee of the Bengal mints.

*Sedár*, the collector of the rents of a village.

*Sircár*, the state or government.—In common usage in Bengal, the under Banyans or European gentlemen are called *Sircárs*.

*Sirdár*, or *Sudár*, a chief, leader, or commander.

*Subáh*, a province; improperly used for the *Subaldar*; and is the same as *Subabshíp*, *Subaldárry*, or *Nizamut*.

*Subahdár*, the governor of a province, or literally a holder of a *Súbab*; the same as *Nóbáb*, or *Nazím*.—Also the black commander of a company of Sepoys.

*Subabdarry*,

# G L O S S A R Y.

*Subabdarry*, or *Subabhip*, the office of a *Subabdar*.

*Sun*, the year : thus *Siccas* of the 1st, 2d, or 3d *Sun*, are the standard silver rupee† of the 1st, 2d, or 3d year of a prince's reign ; which is marked on the coin.

See *Lack of Rupees*.

*Sinnud*, a grant.

*Sunót*, properly *Sunwaút*, rupees of old dates, on which a discount is allowed.

## T.

*Talóck*, a small *Zeméen-darry*.

*Talóck-dár*, the *Zeméen-dar* of a small district.

*Takhildar*, or *Sezawaúl*, an officer employed for a monthly salary to collect the revenues.

*Tankdál*, a mint.

*Tánna*, a small fort.

*Tanna-dar*, a commander of a small fort.

*Tcep*, a note of hand.

*Telinga*, a Sepoy ; so called from a country of that name, from whence the first Sepoys were probably enlisted.

*Toffaúl*, a collection of *Callárrys*, or salt pans.

*Temson*, a name vulgarly given to the Indian drums used in proclamations, and rejoicings.

*Tundaw*, an assignment.

## U.

*U'tungáu*, properly *Altum-ghan*, an allowance paid from the revenues to religious, or learned men.

## V.

*Vakeel*, an attorney, or agent.

*Vizarút*, the post, or office of *Vizier*.

## W.

*Wadadúr*, an officer of the collections.

## Y.

*Yessawául*, a state messenger.

## Z.

*Zeméen*, land.

*Zeméen-dár*, literally a land-holder, accountable to government for the revenue.

*Zeméen darry*, the office of a *Zeméen-dar*, or the lands held by him.

*Zenána*, belonging to women, the woman's apartment, the Seraglio.

The compiler of this Glossary has not hesitated to avail himself of the glossaries of Mr. Vansittart, Mr. Bolts, and other writers on India affairs ; as they have been found, in general, sufficiently explanatory of the articles in question.



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# INTRODUCTION,

C O N T A I N I N G

A REFUTATION of such Parts of " Considerations on INDIA Affairs" as are not referred to any general Division of this Work.

THE power and dominion acquired within a few years by the English East India company, the great importance of their possessions to the wealth and prosperity of Great Britain, the immense revenue derived to the state from their commerce, have at length awakened the public attention. An universal desire seems now to prevail of obtaining information upon this important subject. The materials of knowledge, however, are scarce. Few publications appear which are not dictated by private passion, or interested views. An envy moreover, attending the large fortunes acquired by some individuals, has given an easy credit to the most extravagant assertions of malice, or disappointed ambition. To remove in some degree an impression so injurious to individuals, so ruinous to the public interest, is the object of the following sheets; and without pretending to greater virtue than other writers, I shall add, that neither the time nor occasion will admit a wilful misrepresentation, which must soon be exposed to detection.

The confusion in which "Considerations on India Affairs," published by Mr. Bolts, are studiously involved, affords abundant opportunities to pervert the truth; and is in itself therefore but an indifferent argument in favour of the author's candor. At the same time this laboured disorder effectually precludes me, who wish to inform, from following that writer through all his undigested mass of multifarious and libellous misrepresentation. Should I content myself with giving order and arrangement to the little work, which is now submitted to the public eye, an intelligent reader would find therein a sufficient refutation of what Mr. Bolts has thought fit to advance. The historical deduction, for instance, in the first chapter, must demolish his representation of political transactions, by proving those acts of the select committee to have flowed from a sense of duty, and knowledge of the public interest, which that gentleman has attributed to malignant passions, or to yet meaner motives.

The same observation will apply to every part of his book; and even the last chapter of the present work, which has no appearance of being a direct answer, may yet serve to prove, that many favourite positions, drawn from the laws and manners of Great Britain, are mere words, when applied to a very different situation of things in Bengal. But as many readers will not give themselves the trouble to consider the subject in this view, it will be necessary, before I enter upon the execution of my own plan, to examine that chaos of invective, which is so written by Mr. Bolts as to admit little order in the comment.

To misrepresent the plainest subjects is no very difficult task. "It is a false way of reasoning against religion," says the president Montesquieu, "to collect a long detail of all the evils it has produced." History will, undoubtedly, acquaint us with innumerable mischiefs, which seem to have flowed from this source. Yet religion, or a knowledge of those relations, which the Creator has established, is the source of all moral obligation; and the fear of his displeasure, the best sanction of those laws, which the finger of the Deity has thus prescribed to man. In ridicule

dicule of such attempts, an essay was composed some few years since by a very ingenious writer, who produced a long catalogue of mischiefs arising from civil establishments; and affected, with great gravity, to evince, that the abolition of all government would be productive of private happiness. He so far succeeded, that a learned bishop employed much time in refuting this formidable antagonist, without once recollecting, that the experience of mankind had already decided the question, by establishing *some government* in every corner of the earth. To come nearer home, the wits of this island have found so large a field for the exercise of their talents in the practice of Westminster Hall, that there are not wanting persons, who think justice should be administered with us, as it is in Turkey, forgetting that a government *by law* has alone raised Great Britain to preeminence among the kingdoms of Europe, and made her prosperity the admiration and envy of surrounding nations. If subjects the most interesting to mankind, on which they have added experience to theory, are nevertheless so open to misrepresentation, what must be the condition in this respect of a nascent, unsettled state, where all dominion, after the confusion of successive revolutions, is transferred to a few strangers, and where the conquerors, living under their own laws of freedom amidst a nation of slaves, exhibit a situation without parallel in history?

It must be evident that so great a change would extort many acts from the governor and council in Bengal, which were not strictly within the intention of the legislature, when powers were granted to the company with a view to occasions, very different from those which<sup>a</sup> have since arisen. Thus, to counteract the establishment of an Ostend company, the three nations<sup>\*</sup> possessed of the East India commerce forbade their respective subjects to engage in a foreign service. The exclusive trade of our company had before been secured by penalties to be recovered in England; but upon this occasion the legislature authorized the company to † seize any British subject who shall *jail, go, or repair to*

\* Great Britain, France, and Holland.

† 5 Geo. I. ch. 21.

the East Indies contrary to law. Within four years, two more \* acts passed, by which, among other provisions, it is enacted, that all such persons who go to the East Indies, shall be deemed traders, and, consequently subject to the several penalties inflicted upon persons under that description. The company are moreover authorized to seize, and bring to England, all unlicensed persons who shall go to or be found in India. These provisions, derived plainly from a commercial jealousy, the company have since made the means of imposing such conditions upon the free merchant and others in Bengal, as were found from experience to be necessary for the safety of the country, and protection of its inhabitants.

When, for instance, the power of the English nation gave effect to usurpations of the private trader, who decided his own claims, oppressing the natives, and threatening the officers of government, if they presumed to interfere, successive governors of different parties agreed in the necessity of confining the free merchant to the company's † presidency. This regulation, which all approved, and which reiterated orders of the directors confirmed, was made a condition of residence under the company's protection.

Thus also, when frequent complaints were made by Sujah al Dowlah, nabob of Oude, of numberless oppressions committed by English agents, who, contrary to treaty ‡, traded in his dominions, the governor and council issued *general* prohibitions; yet Mr. Bolts represents all these regulations, founded on the most evident necessity, as *expedients* to oppress *particular* individuals; and assuming afterwards his own assertion as

\* 7 Geo. I. ch. 21. 9 Geo. I. ch. 26.

These laws were temporary, and have been prolonged from time to time. It is remarkable that all offences against these are excepted out of the general pardon so late as 20 Geo. II.

† Company's servants were, of course, confined to their several stations.

‡ When peace was concluded, it was intended to have English factories in the dominions of Oude, but Sujah al Dowlah represented, that a private trade in his dominions must necessarily be productive of disputes with the English, and would probably end in his destruction, as it had before ruined Meer Cossim. A clause, stipulating a free commerce *for the company* was inserted in the treaty, but Sujah al Dowlah was given to understand, that this right should not be exercised without positive orders from England; and that *no English private traders* should, on any account, be permitted in his dominions.

a truth, he makes this curious reflection \*, “ It is true, that such restrictions have never been laid but upon particular persons whom the company designed to oppress and crush. But how miserable and despicable must that state of the government of the company’s affairs be, wherein the general system of justice is stopped or perverted for the sake of oppressing an individual.” Without denying the inference, it is impossible to admit the fact. “ *It is true,*” that one trader, and only one, who had committed many enormities, for which the severest punishment was justly due; who had been reprimanded by the directors; whose conduct had been equally obnoxious to successive unconnected governors; who had threatened the officers of the country government for attempting to discharge their duty; who had traded contrary to public treaties in the dominions of Sujah al Dowlah; who by repeated promises to withdraw this trade, had obtained letters from the governor to the subah of Oude, requesting that every assistance might be given in collecting his effects; who, disregarding his own voluntary repeated promises, had persevered in this commerce, and by his intrigues endangered the peace of India: *It is true,* that such a man, after a delay of nearly two years, was seized, and sent to Europe. But it will not necessarily follow from the admission of such a fact, that “ the general system of justice is stopped or perverted for the sake of oppressing an individual.” *It is true,* likewise, that several officers who had endeavoured to disband the whole army in Bengal, by a general combination to resign their commissions in one day, were deemed dangerous in India; and refusing voluntarily to depart, were therefore sent by force to Europe. Mr. Bolts labours through more than twenty pages to prove this power of seizing persons illegal. But even the doubts, which have always attended the exercise of this power, prove it not to have been the wanton instrument of oppression. The very few instances to be found regard such † persons as could not interfere with any private interests of the governor and council; and it is utterly incredible, that these gentlemen would risque their own fortunes by an act which must come before an English jury, unless the duty of their stations exacted such conduct at their hands. Then indeed they might justly expect protection from the purse of the company.

\* Considerations, p. 73.

† Mostly military men.

Could we even believe these gentlemen to have been actuated by improper motives towards men, of whom they seldom have any personal knowledge, what can we say of the directors? Yet Mr. Bolts informs us, in a note at the bottom of page 147, that the "directors in their general letters since 1764 have been used very injudiciously to authorize their governor and council at Bengal, at their own discretion, to withdraw their protection from, or seize and send to Europe any person or persons, who might be guilty of the smallest contravention of their orders."

The reader should be informed, that the year 1764 is the period when it was first known in England, that the violence of private traders had overturned the country government, and involved us in a war with Meer Cossim; that the consequent orders of the directors, necessary to the peace of the country and safety of the natives, had been repeatedly condemned; and that all now confess the justice and propriety of the restraints then imposed, although men from interested motives were at that time tempted to disobey.

It was foreseen by Mr. Bolts, that such reasoning would not be conclusive, unless interspersed with flaming paragraphs, round assertions, and some few facts, which, to a careless eye, or mind unacquainted with the subject, may wear the face of proofs. He concludes, therefore, his chapter on "*Transportation*," in this manner\*. "It is principally owing to this exorbitant power, the exercise of which has been greatly encouraged by the directors in their letters to Bengal, that we must attribute the immense fortunes which have been of late so rapidly *squeezed from the natives* in those parts, and which will continue to bring those provinces nearer and nearer to destruction, if effectual measures be not speedily taken to prevent *such violences*, to enable the *injured* more easily to obtain relief, and to inflict exemplary punishment on *such oppressors*. If this be not speedily done, neither the company, nor the nation, can

\* Considerations, p. 147.

“ have a right knowledge of their own true interests in Indian matters,  
 “ and posterity will justly remark of this period of the eighteenth cen-  
 “ tury, that it was then supposed the law of the land for Britons in India  
 “ to be imprisoned, banished, and transported, by the English East-India  
 “ company, unaccused, and unheard in their defence.”

Well calculated as this passage may be to work upon the honest prejudices of an English reader, it is difficult to conceive why *we are to attribute fortunes rapidly squeezed out of the natives*, to the practice of sending a dangerous *European* to England; or how the prevention of *such violences*, or punishments of *such oppressors* will save the provinces from that approaching ruin which Mr. Bolts denounces. Was Mr. Bolts (whose whole continuance in Bengal was one scene of complaints, replies, reprimands, and contentions,) transported *unaccused or unheard in his defence*?

The mode of reasoning in constant use with Mr. Bolts, is by declaiming strongly on *possible* effects to inflame the mind, to mention a *particular* fact, which proves nothing, and then very liberally to deal forth general invectives, leaving the reader to suppose practices thus alluded to have frequently prevailed. Who would not, from the following passage, be lead to imagine, that the practice of sending to Europe had been so common as to destroy all private credit? The reader will, perhaps, be surprised to learn, that Mr. Bolts is the single instance of a trader being *so transported*\* during many years. Yet he gravely tells us, in p. 140, “ The effects in India of sudden transportation, with respect  
 “ to destroying of credit and all private security, must appear evident, and  
 “ indeed, have been severely felt by the *generality* of British subjects,  
 “ since those tyrannies have been practised in Bengal, for it is well known,  
 “ that any young writer in the company’s service will now find it more  
 “ difficult to borrow *five hundred* rupees of a black merchant, than six  
 “ years ago he would have *five thousand*.”

\* This happened twenty months after he had publicly declared to the governor and council that he had relinquished all trade. He himself said, in his examination before the committee of the house of commons, that he knew of none besides himself, except military men, that had been sent to Europe.



This last mentioned fact, which is supposed to be a conclusive proof of all these dreadful consequences, may be true, but has no application to the subject. *Six years ago* will nearly carry us back to the treaty concluded with Nudjum al Dowlah. The reader must here be informed, that a trade, free from duties, had been claimed by the company's servants, supported by their forces, and established by the last treaty with Meer Jaffier; and that this article, although condemned by the directors, was afterwards transcribed into the treaty with his son Nudjum al Dowlah. The contention during two years with Meer Cossim, in support of this trade, greatly weakened the country government, which his subsequent overthrow quite annihilated. At this time, many "*black merchants*" found it expedient to purchase the name of "*any young writer in the company's service*," by loans of money, and under this sanction, harrassed and oppressed, or (as Mr. Bolts elegantly expresses it) "*squeezed the natives*." So plentiful a supply was derived from this source, that before lord Clive's arrival, many "*young writers*" were enabled to spend 1500 l. and 2000 l. per annum, were clothed in fine linen, and fared sumptuously every day. *This credit* certainly declined, when the orders of the directors were enforced by the select committee. Had these gentlemen thought fit to support *such a credit*, they would, to use the expression of lord Clive in his letter to the directors, have found "the settlement in general their friends, and only the natives of the country their enemies."

Having mentioned the treaty with Nudjum al Dowlah, it is worth remarking, that Mr. Bolts does not hesitate to misquote passages from public letters, whenever, by so doing, he can aid his other arts of misrepresentation. Where every, the minutest, transaction is committed to paper, and canvassed in a correspondence between the directors in England, and the company's servants in Bengal, it is obvious what advantage may be *hence* derived, if a man can stoop to the meanness of *wilful* misquotation. To follow our author through every instance of this species of deceit, would not only require a careful perusal of all the public correspondence, but would, in itself, be useless, since one instance will suffice to destroy the credit of Mr. Bolts. The directors, enraged with the abovementioned con-  
tempt

tempt of their orders, direct the council in their letter of February 1766, to transmit a *renunciation of that part of the treaty* to the nabob. A change of circumstances had been made by their servants the plea for an interested disobedience. They therefore add, "whenever government may be established, or whatever unforeseen circumstances may arise, it is our resolution to prohibit, and we do absolutely forbid this trade in salt, beetle-nut, and tobacco," meaning the inland trade carried on by individuals under a forced construction of the firmaun, recognized by these treaties. Yet Mr. Bolts, fully possessed of the truth, applies this prohibition to the society established in consequence of positive injunctions from the proprietors "to regulate the inland trade," which regulations were not then known in England, and consequently could not be condemned. It is impossible to regard the misrepresentation of this subject by Mr. Bolts as derived from error on his part, because the letter by him mentioned recites the article of the treaty afterwards referred to; because it speaks of the trade of individuals thereby stipulated, severely condemning the conduct of governor Spencer and his council in this business; and lastly, because Mr. Bolts in his book, page 180, uses the very phrase of the letter, "*transmit such renunciation in form to the nabob in the Persian language*," dropping in the midst of the sentence these words "*of this part of the treaty*."

In the same page with his acute observations on private credit, continuing the invective against *sudden transposition*, Mr. Bolts exhibits a very alarming picture of possible abuses. He supposes the absent and innocent to be equally involved, the widow and orphan to fall in one undistinguished ruin with these miserable exiles. Having warmed his imagination, he proceeds to describe the governor as a rich tyrant, but without subjects. The governor has banished all the former inhabitants of the settlement, leaving to himself nothing but the houses. Conceiving that a man sent away suddenly, must sell all his effects cheap, Mr. Bolts, being a good merchant, makes transportation the means employed by a purchaser. "In any of all of these cases the governor himself, or he and some of his chief counsellors, might become purchasers of all the

\* Considerations, p. 180.

† In August 1765.

\* C

"houses,

“ houses, ships, goods or merchandize in the settlement; which would  
 “ be no small *stroke* in trade, and of a piece with many such *strokes* as  
 “ have been often known to be *struck* successively under arbitrary  
 “ or despotic governments \*”. In the first part of the sentence, they might  
 become purchasers; but forgetting that the whole was a fiction, Mr.  
 Bolts, in the latter part, strongly insinuates, by the help of *Italics* and  
 large LETTERS, that such practices not uncommonly prevail.

This is not the only imputation thus conveyed. If *Italics* mean any  
 thing, those nabobs who “ died suddenly,” had their departure hastened  
 by management. Left the *Italics* should escape the reader’s attention,  
 or as he might not know against whom the insinuation was directed,  
 LORD CLIVE and MR. SYKES in large characters catch the eye on the  
 preceding line, p. 47, employed in regulating this same nabob’s income.  
 A few lines lower another youth, who died of the small-pox after an  
 illness of eleven days, “ dies suddenly,” and “ the allowance of the  
 “ nabob is again reduced †.” Left all this honest industry should be lost,  
 Mr. Bolts conjectures the fate of the present nabob, shrewdly observing  
 that “ considering the late fatality among nabobs, it is reasonable to ima-  
 “ gine the race of them in Bengal is nearly at an end.” In a note to  
 page 44, the reader is informed that “ upon all these revolutions, large  
 “ sums of money were obtained by the persons who conducted them from  
 “ every new made nabob.” Then follow some extracts from a letter  
 published by lord Clive and from another by Mr. Johnstone, respecting  
 presents. This note is subjoined as an illustration of a text, which de-  
 scribes the nabob wholly dependent on the English governor and council.  
 Had some little order been given to the facts here mentioned, it would  
 have appeared, that the presents made to lord Clive and others, in the  
 year 1757, were rewards of the most honourable services, at a time when  
 the English company had few forces in Bengal, the nabob Meer Jaffer  
 possessing a large army and the full dominion of his country. That the  
 presents received by Mr. Johnstone and others in the year 1765, were in  
 consequence of no services, the nabob Nudjum al Dowlah being disarmed by  
 treaty, and all power transferred to the English council; given, in short,

\* Considerations, p 140.

† The nabob’s allowance was not reduced on the death of Seyf al Dowlah, as here asserted  
 by Mr. Bolts.

under such circumstances, that Mr. Verelst did not think it consistent with his Honour to accept any part. Lastly, it would have appeared that before the *sudden* deaths mentioned by Mr. Bolts, the source of these presents had been removed by a grant of the revenue to the English East India company; and that therefore it was impossible, consistently with truth, to suggest a motive for the perpetration of so horrid a crime. The subject is here mentioned only to shew the manner in which Mr. Bolts treats the characters of men, who have laboured at least to render some service to their country. Perhaps it may not be improper to point out the dilemma, in which this gentleman has involved himself. By concealing his *suspicion* \* during his residence in Bengal subsequent to 1766, he incurs the guilt of an accomplice, whether the fact be *true* or *false*. If he entertained *no suspicion*, let the reader give a name to his present attempt †.

No subject is safe in the hands of Mr. Bolts. He will not suffer the ashes of king William to rest in peace; nay, the two houses of parliament become the authors of fraud. The confines of legislative and executive power are often so nicely blended, that we must not be surprised if they have sometimes been mistaken. In the reigns of the Tudors, this distinction was little understood, and less regarded. In the reigns of the Stuarts, the possibility of completely separating these powers, without overturning all kingly government, was, with equal warmth, affirmed and denied by contending parties. After the Revolution, a charter was obtained from the crown, erecting a company who were to trade to India.

\* A man who had intimated a suspicion of this kind, would only have made himself ridiculous in Bengal, where the truth was notorious, but these base insinuations may nevertheless have some effect in inflaming the uninformed mind of an English reader.

† Mr. Dow has this passage, p. 89. vol. iii. "The princes whom we raised in Bengal, vanished imperceptibly from their thrones. Light and unsubstantial as the shew of power, with which, as in derision, we invested them, they disappeared, like Romulus, but without a storm. The benefits derived from former revolutions, created a love of change; and the angel of death, if not our friend, was very opportune in his frequent visits to the Musnud. In the course of five years, three nabobs expired; and the unfledged sovereign, who acceded to the nominal government of Bengal, on the March of 1770, has already enjoyed, considering the times, a long reign. Nabobs, to own the truth, are useless; and they are dismissed to their fathers without either ceremony or noise." A man who hopes to obtain credit should exhibit something like a proof in support of so extraordinary a charge.

This charter, copied from some of a more ancient date, contained a clause granting an *exclusive* trade. Such a clause, being restrictive of the rights of other persons, was manifestly a legislative act; and therefore illegal, without the concurrence of parliament. No sooner was the error discovered, than the crown relinquished its claim: but the measure being deemed politically right, an exclusive privilege of trade was immediately granted by parliament, and the two companies were afterwards united in the sixth year of queen Anne. Yet Mr. Bolts represents the first charter as confirmed by parliament, to introduce this observation, that it "was almost immediately set at nought by a self-erected, unchartered company of adventurers, who traded directly to India in defiance of the king, ministry\*, and parliament." He then gives a long history of supposed evasions under the terms *in, into, to, and from* †, for the purpose of suggesting his own ingenious doubt, whether the parliament of Great Britain can restrain the trade of a *British subject*, or authorize other subjects to seize his person, whenever he contravenes such commands?

The cases of persons seized and sent to Europe, printed by Mr. Bolts in his Appendix, relate to officers, all of whom were engaged in the mutiny, while some superadded the guilt of supporting rival interests to the attempt of destroying the British power in Bengal. These relations are drawn by no friend of the measure; yet, when stripped of their pompous phrase and unmeaning invective, the whole will amount to this, that men, not personally known to the gentlemen in council, of a profession whose interests could not clash, were sent to Europe, because their residence in Bengal was esteemed dangerous to the company. Doubts respecting the legal extent of their power, made the governor and council cautious in the mode of securing the persons of these officers, and enabled them to hold their house as a garrison for some few days. It appears, moreover, that one of them, as soon as he promised to proceed for Europe, was permitted to quit the ship on which he first embarked. From this fact we may judge, how far their own obstinacy, in resisting the order of council, contributed to any hardships they might suffer. The messages which passed between the prisoners and justices of peace are set forth by Mr. Bolts at large ‡. The justices,

\* Page 141.

† Page 142.

‡ Appendix to Considerations, p. 93, 94, 95.

no great lawyers, were of opinion, that the complaint was not within their jurisdiction. Common sense must discover, that a power of seizing British subjects for the purpose of sending them to England must fall to the ground, if magistrates, having a merely local authority, should presume to release them. If the crown, in time of danger, are empowered to confine suspected persons, would our sages of the law discharge the prisoners? Yet in this country the course of justice is tolerably free.

Among the arts used by Mr. Bolts to inflame, he never forgets to mention the military as persons employed upon all occasions. The reader therefore should here be informed, that throughout all the nations of India, the orders even of courts of justice are executed by military men. The colour of a man's coat, or the uniform he wears, does not prove him a more noxious creature, than if, an emblem of innocence, he were arrayed in white. The nature of the English constitution makes us jealous of the executive magistrate. A frequent use of the military, who are immediately under his command, in *domestic government* might be dangerous to public liberty; and hence arises that honest prejudice of our countrymen, which the author of *Considerations* perpetually abuses to most unworthy purposes.

In page 144, Mr. Bolts, still declaiming against transportation, has this passage: "But there is a direct, unconstitutional use to be made of such power, which is, *as we have seen*, that of employing it to punish men for doing their duty, even in courts of justice. They may disoblige men in power by refusing to be pliant judges, if in the mayor's court; or pliant jurors, if impannelled as jurymen at sessions; and may be therefore punished with ruin in revenge for their honest discharge of the first social duty." Have such cases ever existed? Has such an unconstitutional use been ever made of this power? There never has, nor ever can, while law or justice has its residence in Great Britain. Supposing the power to be legal, those exercising the authority are answerable for its abuse. To prefer a criminal charge to the proper judges, is the *legal right*, nay the *duty*, of each individual citizen. But should this power be wantonly abused, the experience of every day evinces, that an innocent and injured man would obtain ample compensation

sation from an English jury. What more could be done to prevent oppression, if parliament should annul this power heretofore given to the company? In this country all public rights, whether in the hands of the magistrate or of private persons, are a sacred trust. To abuse these in the execution, is criminal according to our laws; and a sinister motive will contaminate an act, which could not otherwise be questioned. Governors who should conduct themselves by the principles suggested by Mr. Bolts, would not only be compelled to make full restitution to the injured individual, but would, by their punishment, become severe examples to prevent the commission of like crimes in future.

The reasoning of our author is perpetually in extreme. Here he wishes the abolition of a power because the imagination may suggest *possible* abuses, which abuses are effectually corrected as the law now stands. Two pages further he would destroy the same power as *unnecessary*, because it is the interest of all men to be honest \*. “No inhabitants of  
“their settlements can commit any crime to endanger the security of the  
“company but what must equally endanger the safety of each individual  
“member of the community, they being inseparably connected together.” Is not this equally true of every other state and its subjects? Wherefore then is high treason punished? Why are murderers proscribed in every country? Why have we regarded great legislators as benefactors to mankind? Such is the moral harmony established by the Creator, that public duty will ever continue to be the same with private interest well understood. But do men never err? Shall we proceed upon such a foundation to abolish all laws and all magistrates? I know not which most to admire, the head or heart of our author.

Mr. Bolts himself observes upon another occasion, p. 144, “not disputing here what the constitutional rights of Englishmen formerly were, or now are, within or without the immediate settlements of the company, that there is always supposed to be a mutual convenience or advantage in all such engagements, and that honour should regulate either party in their conduct.” Let honour be the criterion. Let each in his several station abide by its judgments. Should any private man, taking ad-

vantage of an unsettled government, oppress and harass the harmless natives of Bengal, and endeavour to shelter himself under the letter of laws, calculated for a very different state of society; let the miscreant be punished as his crimes deserve, by a removal from the scene of his ravages, by the contempt and detestation of every honest mind. Should, on the contrary, power be wantonly abused, to serve the purposes of malignant passion, or governors, forgetful of Mr. Bolts's precepts, neglect their public duty for a *supposed* private interest, an English jury will eagerly redress their fellow-citizen, and vindicate the rights of human kind.

It were endless to pursue Mr. Bolts through all his chaos of invective. To do justice to his performance, would be to comment on every line. Some passages, however, may be selected, without swelling this Introduction to an unreasonable size, sufficient, perhaps, to convince the reader, that the Book called "Considerations on India Affairs," will convey as much real information respecting the affairs of China, as those of Bengal.

The author is as well versed in the law of nations as qualified for the domestic government of a particular state. What concern has Great Britain in the claims of a Mogul? Englishmen should adhere to engagements taken on the part of their own nation; but it is ridiculous to suppose they must enter into the disputes between prince Ally Gohar, and the subahdar of Bengal, or between them again and their respective subjects. Yet the misrepresentations of two chapters are chiefly founded on this absurd opinion; and the high sounding titles of eastern grandeur are introduced to give the whole a greater air of burlesque.

What contradiction is there in resisting prince Ally Gohar, when invading the dominions of our ally; and supporting the same man with our arms, when new treaties had been formed with him? Mr. Bolts, p. 25, quotes two passages from Mr. Scrafton to prove that, upon the invasion of Bengal by our present Mogul, colonel Clive, at the request of Meer Jaffer, marched to punish those rajahs "who had dared to join him\*." It appears from these extracts, that the colonel strictly adhered to his engagements,

\* Mr. Bolts has mis-quoted this passage from Mr. Scrafton, whose words are, in p. 117. "All our affairs being so happily circumstanced, colonel Clive, at the subah's request, marched to punish those rajahs who had joined the *Shahzada*."



communicating the letters received to the nabob's son and ministers, who judged that "it would be dangerous to have a prince of the blood in any of the provinces." Mr. Bolts seems better pleased with the conduct of Mr. \* Holwell, who, in the same war, corresponded with the enemy, concealing the letters ("offering a carte blanche to the company") from our ally Meer Jaffier. It seems that these engagements with the subahdar were not, in our author's opinion, to be regarded; for he affirms, that Sujah Cawn was the last † lawful nabob of Bengal.

Mr. Bolts then relates the revolutions preceding the capture of Calcutta by Surajah al Dowlah, to retake which place colonel Clive was sent from the coast of Coromandel in the year 1756. But in doing this he conveys a very unjust imputation. He tells us that the treaty with Serajah al Dowlah was "solemnly ‡ ratified in the strongest manner, the nabob " swearing on the Koran by God and Mahomed, and the colonel pledging " the names of God and our Saviour, faithfully to observe the same. " Necessity, which, in *politics*, usually supercedes all oaths, treaties, or " forms whatsoever, induced the English East India company's repre- " sentatives, about *three months* after the execution of the former treaty, to " determine, " *by the blessing of God,*" upon dispossessing the nabob Serajah " al Dowlah of his Nizamut, and giving it to another." In the next paragraph, to throw a greater odium upon the measure, Mr. Bolts speaks of "the traffick in nabobships,"—"the bold and traitorous disposition of " Meer Jaffier,"—"and of another rebel candidate." Who would imagine, from this relation, that the conduct of the English was perfectly consistent with the law of nations? Yet such it will manifestly appear.

Mr. Bolts forgot to mention, that after the conclusion of the first treaty, Serajah al Dowlah not only evaded fulfilling his engagements §, but me-

\* This gentleman was governor after the departure of colonel Clive, in February 1768. See History, in first chapter.

† Considerations, p. 38. where Mr. Vansittart's Narrative is referred to, Vol. I. p. 5. as if that gentleman had said, "that Sujah Cawn was the last lawful nabob of Bengal," whereas Mr. Vansittart expresses no such opinion.

‡ Considerations, fol. 39.

§ To restore the English effects, and give possession of the twenty-four pergunnahs, or villages, which by the treaty he had ceded. Immediately after the treaty with Serajah al Dow-  
lah

dictated our destruction. He negotiated with \* Monsieur Bussy, to introduce into Bengal a body of French troops, (the two nations being then at war) for the express † purpose of acting against the English. A just self-defence, therefore, required, that some measures should be taken on our part, before the ships and forces left the river. Reinforced from the fleet, our army, amounting to 1000 Europeans, and 2000 sepoy, stood opposed to 20,000 horse, and 50,000 foot. In this situation, it was judged expedient to secure some of those chiefs in our interest, whom the nabob's violence had disgusted; and Meer Jaffier, being the most powerful, was chosen as a proper ally.

The malice of Mr. Bolts does not rest here. He represents this revolution as an enterprize of no difficulty. Speaking of the battle of Plassey ‡, he says, "Happy it was for the company that this numerous army  
" made so little resistance, that, according to Mr. Scrafton, there were only  
" *seventy men killed and wounded.*" The nabob not only had a numerous army, but likewise the assistance of French officers, and one hundred European soldiers. The advice, received from Meer Jaffier, contained nothing but excuses for not acting, and to the last hour we obtained no support from this leader, who commanded ten thousand men. At the same time intelligence was received through another channel "that the  
" whole affair had been discovered by the nabob, and that he and Meer  
" Jaffier were one." This embarrassing situation gave rise to a council of war, at which a large majority declared against an immediate attack.

In Feb 1757, Mr. Verelst was appointed to take charge of the company's factory at Luckypore, and receive from the officers of the government the effects that had been taken from that place. On his passage from Calcutta to Luckypore with Mr. Middleton (a gentleman now in the council at Bengal) in the month of April 1757, they were attacked and taken prisoners by a body of the nabob's troops. The commanding officer produced the nabob's orders ~~not~~ to suffice, on any account whatever, any Europeans to pass and repass in the country, particularly the English. He also produced letters, pointing out the gentlemen, nominated to take charge of the factories, to be particularly within such orders. He moreover declared, that the treaty would not be regarded on the part of the nabob, and that we should soon again experience the strength of his arm. The battle of Plassey happened on the 20th of June following.

\* Commander of the French army in the Deccan.

† This appeared not only from unquestionable information received at the time, but was further confirmed by the nabob's papers.

‡ Considerations, fol. 40.

After a deliberation of twenty-four hours, colonel Clive resolved to persevere, and the army, contrary to the determination of the council of war, was ordered to march. The event shewed his judgment to have been well founded. Our negotiations in the nabob's camp had already decided the contest. We learn from Mr. Scrafton, that on the day of the battle "a body of about fifty French advanced in front of the rest, their officer calling out in vain for some of the Subahdar's troops to follow him; for such was their mistrust of each other, that no commander dared to venture on singly, for fear some other commander, suspected of attachment to us, should fall on him." Among many other fortunate accidents, Meer Modun, the best and most faithful of the Subahdar's officers, was killed in the beginning of the action, and his death greatly contributed to the easy victory gained by the English army.

The subsequent events are sufficiently explained in the first chapter of this work. During Meer Jaffier's government, prince Ally Gohar (the present Mogul) invading the provinces of Bengal, was repulsed by the English under colonel Clive, acting as allies to the Subahdar. At this time were written the letters, mentioned by Mr. Bolts, to those rebellious rajahs "*who had dared to join him* \*," the open enemy of Meer Jaffier. The supposed contradiction is, that when lord Clive, upon his last arrival in India, found other engagements taken respecting other countries, he concurred with the select committee in adhering likewise to these new engagements. The Mogul did not indeed obtain the whole dominions of Oude, which a former council had † agreed to give him before they had conquered the country. But he did obtain the countries of Korah and Illahabad, his possession being ‡ guaranteed by the English. To these likewise was added an annual payment of twenty-six lacks from Bengal. The expediency of restoring to Sujah al Dowlah the other territories of Oude, will be evinced in the historical part of this book. Mr. Bolts, speaking of this restoration, says, p. 30. "against the wealth of this nabob, as Mr. Dow very justly observes, the virtue of some of our re-

\* Considerations, fol. 25. Mr. Bolts has made a false quotation from Mr. Scrafton.

† Appendix, p. 163. No. 51. B.

‡ Appendix, p. 171. No. 58

"voluntionists

“ volutionists was by no means proof.” Within three pages he represents the *same* men upon the *same* occasion, as taking bribes from this Mogul, whose interests they are supposed to have sacrificed to Sujah al Dowlah. “ Amidst all his misfortunes, this prince has given several instances of great generosity, particularly to the members of the secret committee, for their distinguished merit and disinterested services. One instance may be seen in lord Clive’s letter to the court of directors, of the 30th of September 1765, where it appears his imperial majesty had presented general Carnac with two lacks of rupees.” This last mentioned fact, which is supposed to be conclusive evidence of corruption, candidly told, will afford an opposite inference. General Carnac, who had commanded the company’s forces with great reputation, and withstood many temptations of pecuniary emolument, had an offer of two lacks from the Mogul. The Mogul wrote to the council upon the subject, and lord Clive mentioned his letter, with its occasion, to the court of directors for their judgment. When a man wantonly stabs the characters of those whose actions engage the public attention, it will require more understanding than Mr. Bolts possesses, to make false assertions wear the face of probability\*.

\* “ Another instance of the generosity of the Mogul, Mr. Bolts says, was given in the year 1767, when his majesty likewise presented colonel Richard Smith with two lacks more; as appears from the following minute of the council at Calcutta.

“ At a consultation held the 14th of September 1767, present, Harry Verelst, esq. president, John Cartier, Richard Becher, James Alexander, William Alderley, Charles Ffloyer, and Alexander Campbell, esqrs.

“ Received a letter from Col. Richard Smith at Illah-abad, dated the 20th of July, on the subject of the two lacks of rupees, he requested their permission to receive as a gratuity from the king; offering several arguments to our consideration, and acquainting us with his majesty’s absolute refusal to take back the teep ‡ he had granted, therefore enclosing it for us to dispose of as might seem most equitable.”

Mr. Bolts has suppressed the resolution of the president and council, which immediately follows his quotation. “ Agreed, we acknowledge the receipt of the colonel’s letter, with the teep inclosed, informing him that as his majesty has so absolutely refused to take back the note for the two lacks, we shall keep it in our hands till the pleasure of the court of directors can be known.” At the same time observing, “ that our sentiments on the occasion are still the same as mentioned in our former letter to him on the subject.” These sentiments condemning all presents “ as manifestly contrary to the will of their employers,” were expressed in the above-mentioned letter to colonel Smith, but more fully in one to the king. “ That we,” (the pre-

‡ A promissory note, here an order of payment for money.

Is it necessary here to enter on the subject of the Dewanny, "a hard name, well \* calculated for a blind to amuse the British legislature?" Mr. Bolts does not chuse "to investigate in this place all the private reasons which occasioned this Dewanny being assumed by lord Clive and his select committee †." Why not? If Mr. Bolts knows any *private* reasons, should this virtuous zealot suppress them? If he knows none, how base the imputation! A plain ‡ narrative will suggest the public reasons for this measure, and shew the necessity of uniting to the military power the means of supporting it. Indeed the frequent distresses of our army, from the irregular payment of the monthly sums stipulated for its subsistence, must have opened the eyes of the blind; but a former council thought it more expedient to leave two millions of annual revenue in the hands of a disarmed and defenceless nabob. The idea of Mr. Bolts, that the hard word Dewanny was intended to amuse the British legislature, is too ridiculous to deserve a refutation; but it may be worth remarking, that the system called in derision the DOUBLE GOVERNMENT, had been established by the same council in their treaty of February, 1765§. This, in truth, was necessarily derived from that train of events which led an associated dependent body of British subjects to the acquisition of empire. And Bengal being, through this medium, united with England, the legislature of this country can alone establish a government different from that which at present exists.

It is impossible to dismiss the present subject without some observations on the comparative advantages of the two treaties, as stated by Mr. Bolts, p. 52. He first assumes, as a permanent revenue, the five lacks per month from the nabob, which, by the terms of the treaty, were to be

silent and council) "earnestly wished our attachment might appear to the world more connected "by *honour*, than by any *interested* tie, that it was most glorious for him, and most reputable "for ourselves, to have a friendship founded on such a basis, that we could not consent to the "colonel's acceptance of his present without the approbation of the court of directors; and "that we must request, that he would not, in future, confer such donations on any of the English chiefs." Such was the substance of this letter, as it appears in the public records of 20th July, 1767. The court of directors refused their permission, and the steep was referred to the king. His majesty's receipt was immediately deposited among the records at Bengal.

\* Considerations, p. 33.

† Considerations, p. 35.

‡ See our first Chapter,

§ Appendix, p. 164. No 52.

only paid during the war with Sujah al Dowlah \*. He estimates likewise the zemindary of Bulwant Sing at forty-five lacks, from which the company received, while in possession, only twenty lacks, as the nabob of Oude had done before them. If this revenue was so extremely improveable, why did not Mr. Bolts, a company's servant resident upon the spot, one intrusted with the management, intimate his opinion to the council?

The estimate of Mr. Bolts is mentioned merely for the purpose of shewing his disposition to mislead. The situation of the zemindary of Bulwant Sing would have made it a burthen, and not an advantage, to the company, as the reader will fully understand in his further progress.

It would fatigue the most patient attention to follow Mr. Bolts through all his misrepresentations, very liberally scattered in every page of his book. From the few instances here given of his candor, the reader will judge of the credit due to his "Considerations on India Affairs." It will nevertheless be proper to take notice of those parts, in which he blends some particular charges with much general invective. After this, the reader would scarcely pardon the omission, were I not to introduce this sturdy champion to his more intimate acquaintance.

Mr. Bolts begins his ninth chapter with a swelling panegyric upon the upright administration of justice, with the consequent increase of industry, population, and commerce. He then very piously proceeds to blacken the characters of all concerned in the government, police, and administration of justice in Bengal. According to his representation, the governor and council are cruel tyrants, the courts of justice are become engines of oppression, and the judges, servilely complaisant to the ruling power, are no longer the guardians of public or of private rights.

Should a discontented man collect facts for the purpose of misrepresentation? Should many circumstances be suppressed to give a false colouring to others? Should a work of this kind be given to the world, when

\* Appendix, p. 162. No. 50.

many persons concerned in these transactions, are at the distance of half the globe; and when many now in England, not conscious of misconduct, had neglected to preserve authentic vouchers, respecting ordinary occurrences, amidst an infinite multiplicity of affairs; it will not be expected that I should follow such a writer through all his filth, industriously collected. Should it however appear, that not the slightest imputation can arise, unless to Mr. Bolts himself, from those relations of "real facts" which make the most formidable appearance in his book, no one will think the request very unreasonable, if he be desired to suspend at least his belief in those particulars, where sufficient documents cannot be immediately procured.

The case of Parseek Arratoon, an Armenian merchant\*, has been selected for the purpose of proving the entire and submissive dependence of the mayor's court; how ready the judges were to obey the nod of a governor. Had the whole truth appeared, the reader must have drawn an inference directly contrary to the conclusion of Mr. Bolts. To give a colour to his charge, he represents Mr. Verelst and his partners as desirous of engrossing all the salt in that part of the country. The contrary is notoriously true. Hundreds of others dealt in salt, and this very parcel was soon resold at a profit of two thousand pounds. Yet these gentlemen, by an intemperate decision of the mayor's court, hearing only the evidence of one party, are compelled to pay 7000 l. more than they themselves had received.

Mr. Verelst, upon entering into the more immediate charge of public affairs as governor, found it necessary to remit the care of his private affairs to others, and this, in particular, was entirely under the management of Mr. Lewis, who had an equal interest † therein. The agents of Mr. Lewis bought a quantity of salt at Nattoor of some black merchants, whose property it appeared to be. A dispute arose respecting the delivery, in which possibly some violence was used by both parties. The

\* Considerations, p. 91.

joint partner with Mr. Sykes and Mr. Verelst.

affair, however, came before the cutcherry, where, "according to the general practice of the court, when not unduly interrupted, to have every cause determined by arbitrators, or umpires, chosen by the \* parties," this matter was referred to five principal merchants, who gave their award in favour of the purchaser, declaring the contract "a fair and legal bargain." Mr. Bolts asserts, that "the Armenian, sensible that the price of salt would rise, ordered his gomastah to fasten up the warehouse, and not to sell †." The Armenian was so far from this disposition, that his gomastah had before been with Mr. Sykes, offering the salt to sale. He engaged to deliver it within a fortnight, and accepted part of the price in the presence of witnesses. A few days after, he applied to Mr. Sykes, and, by intreaties, prevailed upon him to relinquish the bargain. The same salt was then sold to the agents of Mr. Lewis for a larger sum. It is demonstrable that the full market price was here given, because many parcels of salt were bought of European gentlemen, particularly of ‡ Mr. Marriott, then in council, about the same time, at a greater distance from the place of manufacture, and at a price somewhat lower. Thus the transaction stands above all possible imputation, because no injustice could have been committed against European gentlemen, and the Armenian merchant had a yet better bargain. But the value of the commodity still rising in the market, the gomastah of Parseek Arratoon again desired to evade the delivery, upon which the reference above-mentioned took place, and an award was made in favour of the purchaser.

The award being made, Coja Parseek Arratoon then appeared, and claiming a property in the salt, which he alledged to have been forcibly taken from his gomastahs, filed his bill in the mayor's court at Calcutta, to which Mr. Lewis § gave a full answer upon oath, denying every part of the charge. But before the witnesses could come from Nattoor, the plaintiff had brought the cause to a hearing upon *ex parte* depositions. Mr. Verelst, thinking his character as well as property affected by this

\* Considerations, p. 80.

† Ibid. p. 185.

‡ This gentleman is now in England.

§ This Gentleman is likewise in England.



proceeding, wrote a note \* to the mayor, praying to be indulged with a proper time to produce his evidence; at the same time acquainting him, that the court would probably be no more troubled with the suit, as Petrus Arratoon (who afterwards became executor to Parseek Arratoon, and at this time transacted his business) had proposed to refer their dispute to arbitration. So little was Mr. Verelst inclined to take any advantage, that although one award had been already made, Petrus Arratoon did *himself*, at the request of Mr. Verelst, choose the arbitrators, and named Thomas Cooke and Joseph Price for a second reference. In the mean time, bonds were drawn and executed by some of the parties; but Petrus Arratoon, distrusting probably the justice of his cause, wanted to insert as a condition that *his witnesses only* should be heard. To comply with his demand was impossible. It was difficult to conceive the source of such a request, until his subsequent conduct explained the mystery. Thinking he had obtained an advantage by some irregularity in the examiner of the court, who had taken the depositions on the part of the defendant, he relinquished his former engagement; and urged the cause to a decision. A petition was presented on the part of Mr. Verelst and his partners, praying that the error might be corrected, and the witnesses again brought to Calcutta at their expence †. Yet the mayor and aldermen refused to comply with this very reasonable request, and proceeded to a decree upon the evidence solely of the plaintiff. Thus these gentlemen are now compelled to pay 7000 l. more than the sum for which they themselves refold the salt. Here, most certainly, no favour was shewn; perhaps the reader may think that the rules of the court were strained even to the verge of injustice.

The author of *Considerations*, not contented with this happy instance of domineering power, produces another extraordinary case of Mr. Alexander Jephson ‡, where the governor and council *refused to interfere*

\* At the same time Mr. Verelst's attorney at law (Mr. Whittall) prepared a petition to the court. Appendix, p. 174. No. 61.

† Appendix, p. 175. No. 62.

‡ Appendix to *Considerations*, p. 43. No. 26.

with the courts of justice. Mr. Bolts has given us full proof, viz. the memorial of an angry man to the court of directors. The greater part of this story is such, that I, with Mr. De Grey\*, "know not how to believe the parties, concerned in transacting it, would admit it to be true." The attorney-general was certainly right, in thinking that "several of the decrees *as stated* are erroneous, and might be appealed from †;" but it remained for Mr. ‡ Sayer to discover, that a letter to the governor and council, complaining of an illegal arrest, without stating the proceedings or decree of the court, was *an actual appeal*; or that it could be criminal for the governor and council to acquaint Mr. Jephson, in reply to his letter, that nothing but decrees regularly appealed, are cognizable by them. Perhaps, in this instance, they were better lawyers than Mr. Sayer. Be this as it may, the case is here mentioned only for the purpose of shewing that the governor and council are not forward to interfere irregularly, or arrogate a superiority over the mayor's court at Calcutta. If Mr. Jephson, instead of appealing, chose to resist or fly from the officers of justice, the governor and council acted with equal propriety in directing the commanders of the company's ships not to countenance such an attempt, or receive Mr. Jephson on board.

Mr. Bolts, in his Considerations, page 95, says, a tradesman and inhabitant of Calcutta, named Gocul Sonar, "preferred his complaint" against one Nobekissen, "at the court of the general quarter sessions held at Calcutta on the 4th of March 1767, in a petition to the grand jury, but without any success; for it was remarkable that the chief justice, Harry Verelst, esq. then on the bench, getting the petition into his own hands from another justice, to whom the former had delivered it, he immediately and suddenly called and dismissed the juries."

On the 4th of March, Gocul Sonar did present his petition to the grand jury. When the petition was delivered into court, it became the duty of the justices to decide whether they had authority to hear the cause.

\* See his opinion, Appendix to Considerations, p. 54.

† See the same opinion.

‡ See Mr. Sayer's opinion. Appendix to Considerations, p. 53.

Upon deliberation they were all unanimously of opinion, that a criminal charge between the natives only, did not belong to the jurisdiction of the sessions; and accordingly referred the complaint to the court of zemindar, before whom it was afterwards heard and determined.

Without examining whether it was originally the intention of his majesty to subject the natives, residing within our districts, to the criminal laws of Great Britain, it will be sufficient for the present occasion to shew, that the charter of justice will bear the construction here given to it, and that the justices were led by considerations of duty and humanity to adopt this interpretation.

In civil matters, the charter contains an exception of suits between natives only, unless both parties shall submit the same to the determination of the mayor's court. And although this charter, granted the 26th of George II. at a time when we were wholly dependent upon the country government, is silent respecting criminal matters, it was difficult for the gentlemen to believe that the lives of the natives should be less regarded than their property, or that justice could authorize a trial by laws which the criminal could not possibly understand.

In the year 1762, a native detected one of his women in an act of infidelity. Throughout the East, women are wholly subject to the will of their masters, and every husband is the avenger of his own wrongs. The man therefore, satisfied of her guilt, proceeded to punishment, by cutting off her nose. He was arraigned at the Calcutta sessions. He confessed the fact, but urged that he had done nothing to offend the laws and customs in which he had been educated. That the woman was his property; and that, by such customs, he had a right to set a mark upon her for her infamy. That he had never heard of the laws by which they tried him, but desired to put one question to the bench: Did they believe that if he had known the punishment to be death, he would ever have committed what they now called a crime? The man, notwithstanding this defence, was condemned and hanged; for if the court possess jurisdiction, they must proceed according to the English laws.

Thus

Thus an act of parliament, which took its rise from an injury done to an English \* gentleman, may violate the secret recesses of the haram, and a man of the first rank, character, and fortune, may suffer a most ignominious † death, for an act which he is taught to believe undeserving censure. The charge may be supported by the testimony of slaves, or even of the guilty woman. By this rule of evidence, those ties of domestic subjection are broken, which a perfection of civil polity (unknown in Asia) can alone properly relax. Manners here supply the defect of laws. If the latter are not sufficiently perfect to become an object of men's affections, they attach themselves more strongly to the former; nor can we imagine the customs relating to domestic government, least sacred in their eyes, since these the continued habits of the individual, the laws and religion of the nation equally conspire to uphold.

This subject is more largely treated in the last part of the present work. Let it therefore suffice here to observe, that the very few instances of punishment inflicted by our courts, had spread a general alarm, and produced in the year 1765, a petition to the governor and council, signed by the native inhabitants of Calcutta, praying, that they might not be subjected to laws which to them were wholly unknown ‡.

Actuated therefore by honest motives, the justices unanimously referred the complaint of Gocul Sonar to the court of zemindar, and the business of the sessions being finished, the juries were called and dismissed. In this case, it would have been peculiarly improper for the sessions to have proceeded because the accusation related to the exercise of judicial authority in the cast cutcherry by Nobekissen, assisted by the ministers of their religion §.

\* Sir John Coventry, in the time of Charles II.

† The ancient moguls and nabobs would not permit any of the professors of Islam to be hanged according to the English custom, esteeming that too ignominious a death for a Mahomedan to suffer. *Considerations*, p. 81.

‡ See this petition, Appendix, p. 177. No. 63.

§ All nations have their courts of ecclesiastical jurisdiction distinct from the administration of civil justice, in some with a more limited, in others with more extensive authority. The followers of Brama in Bengal have their cast-cutcherries, or courts to take cognizance of all matters relative to the several casts, or tribes of the Hindoo religion. Their religious purity de-

It will be now necessary to follow Gocul Sonar, and his patron Mr. Bolts, to the court of the zemindar; but first it may be proper to acquaint the reader who this Nobekissen was, and whence arose the complaint against him.

Nobekissen is a native Hindoo, who had been extremely zealous in the English cause during the troubles preceding Meer Jaffier's elevation to the subahdarry. When the war broke out with Meer Cossim, he attended major Adams, and continued with that commander till the subhadar was driven out of the provinces. His address, and attachment to the English, recommended him to lord Clive, who made him banyan to the committee, in which office he continued the three years likewise of Mr. Verelst's government\*.

This man having charge of the cast cutcherry, one Ram, a goldsmith, complained, that his mother and brother-in-law forcibly with-held his wife from him in their house, and not only refused him admittance to see her, but permitted another man to visit her, which, if known, might endanger the loss of his cast. The persons were sent for, and the affair compromised to the apparent satisfaction of all parties. About twenty days afterwards, this was made the subject of an accusation against Nobekissen; and that the crime might be capital by the English law, the witnesses readily swore † to a fact, of which, if true, they could have no know-

depends on the constant observance of such numberless precepts, that the authority of these courts enters into the concerns of common life, and is, consequently, very extensive. A degradation from the cast, by their sentence, is a species of excommunication, attended with the most dreadful effects, rendering the offender an outcast from society. But as the weight of the punishment depends merely upon the opinion of the people, it is unnecessary to say that it cannot be inflicted by the English governor (as Mr Bolts asserts, p. 83) unless the mandate of a governor could instantly change the religious sentiments of a nation. Neither can a man once degraded be restored, but by the general suffrage of his own tribe, the sanction of the Bramins, (who are the head tribe) and the superadded concurrence of the supreme civil power. See the last section of Mr. Verelst's Instructions to the supervisors, an article in the Appendix.

\* Mr. Bolts is mistaken when he asserts that Nobekissen was banyan to the governor. This nomination only implied his being an agent for the committee in political transactions with the country powers.

† They swore that their sister was carried away and violated, although, according to their own relation, they were absent when she is supposed to have been taken away.

ledge,

ledge, the subsequent rape of their sister. The justices in quarter-sessions referred the complaint to the court of the zemindar Mr. Bolts attending, a paper, which he declared himself to have translated, was produced, and delivered as the deposition of Gopal Sonar. Mr. Bolts was desirous that Kisno Sonar, the brother, should swear generally to the truth of the written paper; but this compendious method of giving testimony, not meeting with the approbation of Mr. Ffloyer \* the zemindar, the witness was compelled to submit to an examination, in which he materially differed from his brother. Several witnesses were likewise examined on the part of the accused, and proved the relation before given of the affair, intirely to the satisfaction of Mr. Ffloyer, "who reported, as his opinion, "that it was an accusation maliciously invented to depreciate the character of Nobokisson, there not being a single circumstance in the depositions that can create a suspicion of his having had "the informant's sister at his house †."

Mr. Bolts must excuse me if I cannot believe that the information, which he has given the public in his *Considerations*, page 96, dated the 20th of May, 1767, was ever subscribed by Mr. Ffloyer; because Mr. Ffloyer mentioned his return the next day to Mr. Vereist, who was absent from Calcutta some weeks before the 20th of May, and did not return till long after. Mr. Ffloyer, in his minute published by Mr. Bolts ‡, written some months after the transaction, says, "these were "depositions taken before him, sitting as zemindar, in consequence of the "reference from the quarter sessions," and his report of that trial is dated the 17th of March, thirteen days after the petition to the grand jury. For the truth of his assertion he refers § to the records and officers of the court, "who were the only persons made use of by him during the "whole course of the enquiry." Had Mr. Ffloyer asserted a falsehood, the means of detection were abundant. The mistake therefore must have

\* A gentleman now in England.

† See his report, Appendix, p. 182. In which Mr. Ffloyer refers to the depositions, in support of his opinion.

‡ *Considerations*, p. 98. in a note at the bottom.

§ Mr. Ffloyer was most probably, at this time, no longer zemindar, others succeeding in turn.

been made long before, and it will scarce be thought probable the same should be repeated on the 20th of May. Mr. Bolts, in copying the minute, has not given us the month in which the error is said to have been committed, and would have the reader infer, that the minute relates to his information of the 20th of May, though the contrary (the story being fairly told) is apparent from every line.

This was not the single attempt made against the life of Nobekissen. A bramin was prevailed upon, by promises of money, to charge him with violating his wife, "to add (as the parties express themselves) a link to "the chain." They proceeded even to threaten the life of the woman, who, declaring she never would ruin an innocent person, revealed the design to Nobekissen. The truth of this infamous transaction was evinced by the confessions of the bramin, and one of the seducers, Ramsonar Gose, by the testimony of the wife, and of two other witnesses.

To understand the affair of Ramnaut it will be necessary to direct the reader's attention to what passed previous to this man's complaint, which Mr. Bolts thinks "foreign to his purpose to relate." The oppressions committed by those who took upon themselves the character of English agents, are, in other parts of this work, sufficiently explained. The timidity of the public officers, and incapacity of the country government to repress this growing evil, had compelled the governor and council, on various occasions, to make the abuse of English influence the subject of their enquiries. The necessity of their interference cannot be better evinced, than by informing the reader that it was not uncommon for many, particularly the Armenians, to call themselves the gomastahs or agents of English gentlemen, without any authority from their supposed principal; and such was the dread of our power, that even the neighbouring princes would rarely venture to check the disorders hereby occasioned, without first making application to our government.

The reader who will carry in his mind the distinction arising between the English agent and the native, from the want of a controuling power over the former, will readily conceive the nature of that *fair, open, and*  
un-

*unrestrained* trade, in favour of which Mr. Bolts so vehemently declaims; and also of those numberless oppressions, groaning under which Mr. Bolts accumulated, in the space of six years, a larger fortune \* than many gentlemen who have resided twenty years in India, and filled the highest stations in the company's service.

It was a great point of policy among all concerned in this unrestrained trade, to deter the governor and council from animadverting upon the conduct of their agents, particularly within the province of Bengal, where the debility of the country government opened still fairer prospects of advantage. Mr. Bolts, upon these occasions, distinguished himself as the great leader of sedition, and no sooner was Ramnaut proved to have committed more than ordinary violence, than he became this gentleman's † agent, confidant, and friend.

In the year 1765, complaints were made by the inhabitants of Maulda, and the adjacent country, of cruelties and oppressions committed by this man, of a nature shocking to humanity. Not only depredations on property, but various means of torture were used for the purpose of effecting his interested designs. Many particular crimes being proved by the oaths of witnesses, as likewise by the confession of Ramnaut himself ‡, the council directed him to be imprisoned, until satisfaction should be made to the persons injured. The fruitful brain of this man soon devised the means of his release. He pretended that he was only the agent of an English gentleman; that nothing had been done without the direction of his master, who had received the money; and that he was utterly unable to make satisfaction, unless he first recovered the money from that gentleman. Undertaking to satisfy those he had wronged, Ramnaut was dis-

\* According to his own account 90,000 l. Preface to *Considerations*, p. 12. Mr. Bolts arrived in Bengal in the summer of the year 1760, and resigned the company's service in November 1766; during which time he was only a junior servant, and far below the rank of council in the presidency.

† The great intimacy subsisting between them appears from *Considerations*, p. 99, to 104. Mr. Bolts is desired to secure his effects to become responsible for payment of money, &c.

‡ The particulars appear upon the records of the company.



charged from confinement \* to prosecute a suit commenced in the Mayor's court. After much time elapsed, it evidently appeared, that he never had any serious intention to proceed in his action; but while at liberty he had devised another trick, which he hoped would interest the governor in the safety of his fortunes. He purchased, in July 1766, a quantity of salt, which had been consigned to Mr. Barwell, near Maulda, in November 1765, on the account of Mr. Verelst, who was then disposing of his mercantile property in the country; and became afterwards farther indebted on the sale of some boats. The purchase was made in the name of Bogwandas, and it was not before 25th October, 1766, that Mr. Verelst was informed, in a letter from Mr. Barwell, that Ramnaut had interest therein†; finding these evasions insufficient, in April 1767, he applied, by letter to the governor, for leave to "lay his case before the juries at the next sessions," now for the first time accusing Nobekissen of extorting money from him during his former confinement. He received assurances that the strictest justice should be done him; but as the affair of Gocul Sonar, and also the story of the bramin's wife, justified every precaution, he was confined by a guard in his own house "to prevent his being tampered with, and instructed in his evidence, until he could be examined by the committee‡." This passed on the 15th of April. When he was examined on the 18th, the falsehood of the whole charge became evident beyond a possibility of doubt. The demand of money was made by a man, whom he had never seen before or since; whose name he had heard, but did not remember. He gave Nobekissen, a ring, valued at 14,200 rupees, yet could not produce a single witness who had seen this ring in his possession; and the

\* Where an European was concerned, the council thought it necessary to proceed with caution, and remit the affair to the ordinary courts of justice, who had not sufficient power to repress the evil. Had this charge against Mr. Gray been true, the mayor's court could only have obliged him to refund the money, and the penal jurisdiction of the court of sessions extends little beyond the limits of Calcutta.

† Ramnaut had applied to Mr. Verelst, in the month of August, for his interest in procuring leave for his return to Maulda, on account of a share he had in the purchases made of that gentleman by Bogwandas. This pretence Mr. Verelst then considered as a mere artifice to obtain his release.

‡ See this letter in *Considerations*, p. 100, 101. This was not a subject of enquiry before that court, to which he wished to submit it; but had the complaint been founded in truth, the committee could have done him ample justice, and punished the offending party.

man, of whom it was bought, equally unknown, was gone to Dehly. The money was given in private. His servant, who carried another sum in gold Mohurs to Nobekissen, was gone to Maulda. He had related this tale to his own servants, and many others; yet not one person could he name. He had been pressed for the payment of his debts, pleaded poverty; yet never mentioned these extortions by which it was occasioned. Afraid to complain at the time, he had ventured to do this at the distance of a year and half, although his enemy continued in his former employment. He had not even mentioned the subject before the 5th of April to his friend Mr. Bolts, who then drew his paper of complaint.

Nobekissen was now called. The examination of Ramnaut being read in the presence of both, Nobekissen remarked the inconsistencies of his accuser, and pointed out the means by which such \* a transaction might be proved, if it had ever existed. He then concludes his defence in these words, "after he had (as he pretends) corrupted me with more than the sum he was ordered to refund, he was still subject to the demand; whereas, by a proper application of his money, he might have served every purpose without my assistance. What probability, gentlemen, is there in this story? You are the judges." Ramnaut having heard the defence, contented himself with declaring, that he could not prove any circumstances, as the whole transaction was carried on with the greatest privacy.

Tired with his artifices, the committee, at length, ordered this man to be delivered over to the country government, that he might be compelled to make satisfaction to the persons he had injured; and the governor gave particular directions not to molest him on account of his own debt, which still remains in part unpaid†. Yet, upon no better evidence than a supposed letter from this Ramnaut, does Mr. Bolts derive a charge against

\* Money transactions in this country are of a nature not to be concealed. All payments are in specie. A man of any consequence has a number of people about him, through whose hands it passes, and by whom his accounts are kept. These Nobekissen desired to have called, as no receipt, or payment, could be made unknown to them.

† Appendix, p. 200.

Mr. Verelst; but it is the perpetual misfortune of the two friends, Mr. Bolts and Ramnaut, that no one can give credit to their accusations, without supposing a general combination against them.

Another complaint is of violence done to "certain Armenian merchants, of established credit and reputation, who, like many hundreds of others, had been long established in India, and were at this time peaceably engaged in carrying on their own mercantile business in the dominions of the nabob Sujah al Dowlah \*." The truth is, that the persons here spoken of, were the † agents of Mr. Bolts, and acknowledged by him as such in his letter to the select committee about this period; although Mr. Bolts having been indulged with time for near two years after his resignation of the service, and assisted in collecting his effects, had repeatedly promised, particularly the year ‡ before, not to engage in any farther concerns in the country. Instances of the like inconsistency are not unfrequent with the author of *Considerations*. Mr. Bolts, in Bengal, makes an extravagant use of the English influence, and endeavours, by every artifice of fictitious rumours and deceitful correspondence, to increase his own importance, together with that of his agents, for the purpose of private emolument, in a manner injurious to the company, dangerous to our possessions, and destructive of the peace of the country §: nay, in an information delivered at the quarter sessions at Calcutta, upon oath, he there denominates himself "a loyal subject of Great Britain." Yet, when he is called upon by the English East India Company to answer for an interference with their exclusive trade to India, their zealous and devoted servant is not ashamed to plead, that as an *alien* he is not the object of those laws made for the protection and security of that company in whose service he went first

\* *Considerations*, p. 106.

† Mr. Bolts, according to his own declaration, before the committee of the house of commons, had one hundred and fifty of these agents, such were "the merchants of established credit and reputation"

‡ In his letter to the select committee, dated February 11, 1767, entered on the proceedings the third of March following, Mr. Bolts has the following words, "I assure you, gentlemen, upon my honor, that I have not lately, and shall not enter into any new inland concerns; and that I shall hold none, but such as I have already been sometime engaged in." Appendix, p. 194 No. 100.

§ Appendix, p. 204, &c. particularly No. 115.

to India: A plea which the Court of Exchequer in England treated with the contempt it deserved. In Bengal Mr. Bolts makes his black servant sign the new covenants with his name, hoping thereby to evade the obligation. This being discovered, he applies with abject meanness to the sub-secretary, Mr. Baber, clandestinely to deliver the covenants so executed, out of the public office, for the express purpose, as he then declared, of re-executing the same\*. The reason given by Mr. Bolts for his first default, is curious. It seems he had taken an oath not to sign covenants. Being detected, he was nevertheless eager to violate this sacred, though voluntary, obligation. Yet he now attempts to justify his conduct, because a lawyer has lately corrected his former error, by informing him, that his signature, being made with his consent, must be considered as his own act.

In the same spirit is conceived the account given of the Armenian merchants. He represents the general orders to have been particularly directed against certain individuals, "greatly interfering with the private views of the governor and some of the council†:" yet Mr. Bolts knew these to have been only a repetition of the like orders, ineffectually issued, in consequence of reiterated commands from home‡; and that the governor, in fact, was neither directly nor indirectly engaged in trade, from which he was restrained by a solemn oath, and by a bond with a large penalty§. The author of *Considerations* affirms, that all Armenians were prohibited from trading or transporting merchandize out of the provinces of Bengal, Bahar, and Orissa. He well knew that experience of the turbulent, intriguing spirit of these people || during Meer Cossim's government of Bengal, and the frequent complaints of Sujah al Dowlah,

\* Mr. Baber's affidavit, Appendix, p. 209. No. 126. Vide also No. 152. A

† *Considerations*, p. 106.

‡ Vide Appendix from p. 179. If the dates of the several orders of the directors and of the resolutions of the council and committees thereupon be attended to, it will appear that the sentiments of all parties both at home and abroad have been the same upon this subject.

§ The purchase of diamonds for the remittance of the governor's private fortune to Europe, and for that purpose only, is excepted in the oath. This however has no relation to the trade mentioned by Mr. Bolts.

|| The Armenians resemble Europeans in activity and vigour both of mind and body, for this reason, they were employed in the most important offices, civil and military, by Meer Cossim. For the same reasons they were the properest instruments for our traders.

had proved them so capable of embroiling us with the neighbouring powers, by assuming the name of English agents, and abusing the influence thereby obtained, that it became necessary to confine the commerce out of the provinces, to such as, disclaiming the English protection, were contented to be wholly subject to the laws of that country wherein they resided. The conduct of some Armenians would have justified a general prohibition; but the truth is, that those who would traffick upon these terms, were never interrupted. The reader who will recollect the numerous evils produced by the private trade of the company's servants, and abuse of the English power during Meer Cossim's administration, will not be surprised to find Sujah al Dowlah expressing the most extreme solicitude, that the like practices might never prevail in his dominions. At the same time, he was cautious of issuing any orders, which might create the smallest suspicion of a disagreement between him and us; nor would he take any measure which might possibly offend the English gentlemen, but in conjunction with our government\*. He was extremely desirous that whatever was done respecting English agents, should be wholly the act of the governor and council; but when these gentlemen, apprehensive of ill consequences to themselves, where they had no legal authority, declined a direct interposition, he yet insisted that our people should be the immediate instruments in an act which otherwise might wear an hostile appearance. Accordingly, these Armenian gomastahs were seized by our sepoy's under the direction of Sujah al Dowlah's officers.

Soon after the recovery of Calcutta, the subsequent defeat of Serajah al Dowlah, and the establishment of Meer Jaffier, the power of the English traders in Bengal was severely felt by the natives, and greatly contributed to the distresses of Meer Jaffier's government, which, in the year 1760, afforded a pretence for a new revolution in favour of Meer Cossim. This evil continued rapidly to increase, and in the year 1762, Mr. Hastings, in a letter to the governor, exhibits a truly deplorable picture of the country. "I beg leave to lay before you a grievance, which calls loudly for redress. I mean the oppressions committed under the sanction of the English name, and through want of spirit in the nabob's subjects

\* Appendix, p. 186. No. 82.

“ to oppose them. This evil, I am well assured, is not confined to our  
 “ dependents alone, but is practised all over the country by people as-  
 “ suming the habits of our sepoys, and calling themselves our gomastahs.  
 “ As, on such occasions, the great power of the English intimidates the  
 “ people from resistance, so, on the other hand, the indolence of the  
 “ Bengalees, or the difficulty of gaining access to those who might do  
 “ them justice, prevents our having knowledge of the oppressions, and  
 “ encourages their continuance, to the great, though unmerited, scandal  
 “ of our government.

“ I have been surprised to meet with several English flags, flying in:  
 “ places which I have passed, and on the river I do not believe that I  
 “ passed a boat without one. By whatever title they have been assumed  
 “ (for I could only trust to the information of my eyes, without stopping  
 “ to ask questions) I am sure their frequency can bode no good to the  
 “ nabob's revenues, the quiet of the country, or honour of our nation, but  
 “ evidently tends to lessen each of them.

“ A party of sepoys who were on the march before us, afforded suf-  
 “ ficient proofs of the rapacious and insolent spirit of those people, when  
 “ left to their own discretion. Many complaints against them were made  
 “ me on the road, and most of the petty towns and serais were deserted at  
 “ our approach, and the shops shut up, from apprehensions of the same  
 “ treatment from us.”

The subahdar Meer Cossim, about the same time, complains that the Eng-  
 lish agents plundered his people, injured and disgraced his servants, and ex-  
 posed his government to contempt. They had established numerous factories,  
 and setting up the English colours, oppressed the ryots, or husbandmen, the  
 merchants, and people of the country. “ Every Bengal gomastah makes  
 “ a disturbance at every factory, and thinks himself not inferior to the  
 “ company. In every purgunnah, every village, and every factory, they  
 “ buy and sell salt, beetle-nut, ghee, rice, straw, bamboos, fish, gunnills,  
 “ ginger, sugar, tobacco, opium, and many other things more than I  
 “ can write, and which I think it needless to mention. They forcibly  
 “ take away the goods and commodities of the ryots, merchants, &c.  
 “ for

“ for a fourth part of their value, and, by ways of violence and oppressions, they oblige the ryots, &c. to give five rupees for goods which are worth but one rupee; and, for the sake of five rupees, they bind and disgrace an assammee, who pays one hundred rupees mal-guzarree \*, and they allow not any authority to my servants; the officers of every district have desisted from the exercise of their functions; and every one of these gomastahs has such power, that he imprisons the collector, and deprives him of all authority whenever he pleases.”

Such was the state of the country, which proved the immediate cause of our war with Meer Cossim; immediate, for as there could be no choice, but of absolute dominion, or intire subjection, he had certainly resolved, from his first accession, to resist the power of the English, and, in less than three years, had well nigh obtained that independence, to which all the measures of his government were evidently directed.

Mr. Bolts arrived in India in the year 1760, and we soon find him a principal figure amidst the groupe of traders. The extent to which this gentleman engaged, and the moderation with which he conducted himself, will be best known from his fortune of ninety thousand pounds, gained within six years, together with the extreme eagerness with which he endeavoured, upon all occasions, to degrade the authority of the government, and prevent any effectual protection being given to the natives †.

Among the private persons who usurped the office of their superiors, Mr. Bolts was very early distinguished, who wrote in his own name to the fouzdar of Purnea ‡, threatening the nabob's officers with the effect of the English power. Mr. Vansittart § observes, “ of course every merchant will take the same authority;” and very justly adds, “ that this intire

\* The rents, or land-tax.

† Appendix, p 203. No. 114, and p. 208. No. 124, &c &c.

‡ In the year 1762. See Mr. Vansittart's Narrative, Vol. II. p. 209. Appendix, p. 191. N. 94.

§ See Mr. Vansittart's Minute, in his Narrative, p. 250. Vol. II.

“levelling and equality will not be for the good of the company's affairs\*.”

To level all distinctions, to intimidate the governor and council, and, by clamour, to confine them within the strict letter of laws, calculated for a very different state of society, has ever been the constant object of those, who, from motives of private interest, wished to abuse that influence which the name of Englishman was alone sufficient to confer.

Notwithstanding Mr. Bolts was reprimanded by order of the court of directors in the general letter to Bengal, received in July 1764†; yet, in the year 1765, we find him exercising ‡ summary jurisdiction in his own cause, and confining a merchant for three days, whom, at length he was compelled to release. He was soon after this, suspended from his appointment at Benâres, but the trade of a country, yet unexhausted, was too lucrative to be easily relinquished.

The November following, Mr. Bolts resigned his station in the service, and was about this time elected an alderman and judge of the mayor's court in Calcutta. Here therefore commences his furious zeal for reformation, and, in the beginning of the next year, he was actively engaged in the complaint against Nobekissen, which ended with little honour to the authors. The public concerns of Mr. Bolts never intruded upon his private cares, and infinite arts were tried to prevent a dismissal of his agents from the dominions of Sujah al Dowlah. The great distance from Calcutta gave to falsehood the weight of truth. Various rumours were therefore propagated, which Mr. Bolts endeavoured § to support by his correspondence. At one time, Mr. Bolts was returning to Benâres with the most extensive powers. At another time, these people were

\* Mr. Bolts tells us (Considerations p. 82.) that “the governor, by the established rule of the company's service, is the person to whom all correspondence, by letter or otherwise, with the country powers is committed, and the only person in the service to whom such correspondence of any sort is allowed.” One of the main reasons for Mr. Bolts being sent to England, though very low in the service, was his arrogating to himself this *established authority of a governor*.

† See the extract of this letter, Appendix, p. 192. No. 95.

‡ This appears from his own letters entered in the consultations of the council in February, 1766.

§ Appendix, p. 204. No. 115.



taken into Mr. Rumbold's service, and a letter was on the road from the council, that none should be licensed as English agents but themselves. While such arts were employed to influence the mind of the nabob of Oude, the war upon the Coast had drained the treasury of Bengal, and the most alarming accounts were industriously spread of the instability of the company's affairs. Allured by the tempting occasion, Sujah al Dowlah began to listen to the voice of ambition. Coja \* Rafael, for the sake of intelligence, was taken into his service, through the influence of Meer Mushallah (formerly physician to Meer Cossim, and, at this time, retained by the nabob of Oude) who likewise corresponded with our patriot at Calcutta †. When the storm blew off, the dread of our power revived. Sujah al Dowlah, again regarding the English agents as a source of contention, applied to our commanding officer at Allahabad, for their removal; and both parties, being now equally sincere, it was soon effected ‡.

That Mr. Bolts was a party to these practices cannot be doubted, when the reader is informed of a confidential letter written by that gentleman to Monsieur Gentil, a Frenchman, high in Sujah al Dowlah's confidence, in which, he says, " I have written a letter to the nabob, to whom I beg  
 " you will give my humble respects. There is arrived an English Europe  
 " ship, and another French one. The affairs of our company are in  
 " great agitation before the king and parliament of England; and accord-  
 " ing to the letters I have received, there is a great probability that my  
 " partner Mr. Johnstone will come out governor on the part of the king ||."

Such was the conduct of Mr. Bolts and his agents, which produced at length the removal of the latter from the territories of Oude; and after, every other expedient had been tried to reclaim a man, who appeared determined to sacrifice all public duties to his own interested pursuits, and who had actually presented to the grand jury an information against the

\* Mr. Bolts' agent, now in England.

† Appendix, p. 189. No. 88. p. 203. No. 113. and p. 204. No. 115.

‡ Appendix, p. 189. No. 82.

|| Appendix, p. 203. No. 114.

governor, council, and commander in chief, for endeavouring to restrain his pernicious practices, Mr. Bolts himself was sent to England. Instead of punishing Coja Gregory and Johannes Padre Rafael as they deserved, such was the idle lenity of our government; that they immediately received their liberty, and every assistance was offered to collect their effects, an assistance probably unnecessary, as they chose to depart for Europe.

That the measures of our government were sufficiently vigorous and decisive upon this, as upon other occasions, it might be difficult to prove; but, when Mr. Bolts had been indulged with near two years, after his resignation of the service, to collect his effects; when the public authority had been employed, and letters written by the governor to Bulwant Sing, and the nabob of Oude, requesting their assistance for the settlement\* of his affairs; it was surely no very ruinous oppression to send away that gentleman by force, whom the most solemn promises, repeatedly given, could not engage voluntarily to depart for Europe. The governor and council were indeed criminal. It was criminal, for a moment to suffer the residence of a man, who, independent of other demerits, had corresponded with every rival, and every enemy of the company; who had engaged with Mr. Vernet, the Dutch governor, to monopolize the cloth-trade of Dacca†; who had scandalously evaded the execution of covenants, which, as a servant of the company, he was bound to subscribe‡; who had attempted one, and actually succeeded in seducing another, inferior servant, to betray his trust, in delivering papers out of the office; who had, from his first arrival in India, carried on a trade destructive to the peace of the country; who, in support of this trade, had threatened the officers of the Nabob§, and had issued his proclamation in the stile of a sovereign¶; whose agents, by their intrigues in the dominions of Sujah al Dowlah, and by false intelligence received from their master, had embroiled the peace of India¶¶. To suffer such a man in Bengal, was surely

\* See extracts of the president's letter, Appendix, p. 195. No. 103, 104.

† Appendix, p. 196. No. 108.

‡ Appendix, p. 209. No. 125, 126.

§ Appendix, p. 101. No. 94.

¶ Appendix, p. 208. No. 124.

¶¶ Appendix, p. 7, 186. No. 82, 88, 93, 113, 115.

criminal. But if suits are now commenced in our courts of law, if petitions are presented to the house of commons, and unwarrantable prejudices are industriously fomented, what might we expect, had ample justice been done to the company and to the nation?

Enough has been said to shew that the evils complained of in Bengal, have arisen rather from the inability of the governor and council to restrain the daring and pernicious projects of private interest in others, than from a rapacious spirit in themselves. Had the higher servants of the company, as the author of *Considerations* would wish us to believe, been alone the oppressors of Bengal, the evil could not have extended far. But when the rapacity of all who assume the English name, is let loose upon a harmless and inoffensive race of men; when every attempt of the governor and council to restrain these lawless traders, is represented as a violation of property, and infringement of those laws by which only Europeans can be governed; and when this spirit, supported by interested men, proceeds so far, that the governor, council, and commander in chief, are presented to the grand jury as conspirators against the life and fortune of an individual; we must not be surprized if gentlemen relax somewhat in the exercise of new, unknown, and questionable powers, however necessary to the welfare or safety of the province,

T H E.

## C H A P. I.

A general View of the Affairs of BENGAL from the Capture of CALCUTTA, in 1757, to the Grant of the Dewanny to the INDIA COMPANY, in 1765.

WHEN a portrait is presented to our view, those acquainted with the original readily pronounce upon the degree of similitude in the copy. They easily perceive the whole to be unlike, and can even discover where the smaller traits of truth, in particular parts, are made subservient to the purposes of falshood; yet would it be difficult to make a by-stander comprehend the manner in which each feature was perverted. I have nevertheless endeavoured to prove, in the introductory discourse prefixed, that the picture which Mr. Bolts has exhibited of Bengal manners bears no resemblance to the real state of affairs, or to the conduct of those concerned. After all, perhaps, the best means of detecting misrepresentation, is to contrast it with a faithful likeness. To delineate justly the subject, shall therefore be my next attempt.

The reader must not, however, expect a laborious detail. It is more consistent with the design of this work, to give a general map of the country, leaving to others the task of tracing the more minute divisions. To afford a compendious view of the British affairs in Bengal, the first chapter will contain a short historical deduction; because in this flux of events, the reader will discover those situations to which the conduct of men must refer, and by which alone their merits can justly be tried.

The necessity of an exclusive company, the expediency of uniting the commerce, the political power, and the revenues in the same hands, are so evident from considering the distance of the countries, the genius of

the inhabitants, and the nature of the trade, and are so fully evinced by the experience of other European nations, that he who wants conviction upon these first principles, may relinquish all farther enquiry. To such men this work cannot be addressed. Yet even these may be informed, that the exchequer receives annually four fifths of the profits gained by the company; the proprietors of East India stock one fifth; while the property of the latter has been employed in sustaining the power of Great Britain, and wresting all dominion from her enemies in Asia: that if the company has occasionally obtained the protection due to every subject from the state, it has likewise given an assistance which no other subjects could afford, has lavished its own wealth, and risked its own security in \* national contests, in which the company's interests were by no means involved.

The ambition of the French first drew the English into the field. The struggles maintained for many years upon the coast of Coromandel, prepared a force, in the conduct of which colonel Clive had been eminently distinguished †. Upon the capture of Calcutta, in the year 1757, he was, without regard to his rank, unanimously chosen for the command of that expedition, which, to restore the company's affairs in Bengal, was immediately undertaken. The transactions of this period have been already related by ‡ others. Let it suffice here to observe, that Calcutta was retaken, and Serajah al Dowlah concluded a peace with the English, which, through the timid irresolution of the Nabob, and the ability of our commanders, Admiral Watson and colonel Clive, was happily improved to the destruction of the French settlement at Chandernagore. Certain intelligence was afterwards received of Serajah al Dowlah's design to extirpate the English, whenever our forces should return to the Coast §. Hostilities therefore

\* The war which ensued when the proffered neutrality upon the coast of Coromandel was rejected, the expedition to Manila, &c.

† See Mr. Orme's History. Before this period colonel Clive had received many honourable testimonies of his eminent services, particularly in 1754, the directors voted that a sword set with diamonds of the value of five hundred pounds should be presented to him.

‡ Mr. Scrafton's Reflections on the Government of India, &c.

§ See Introduction, p. 16, 17.

again commenced. The nature of the government, the character of the prince, and the universal distrust which from these causes prevailed, afforded abundant occasions of intrigue; and enabled Mr. Watts and colonel Clive, to whom the whole conduct of this business was committed, to cherish a disaffection, which prevented any effectual measures for defence on the part of the Nabob. Our army advanced within thirty miles of the capital, unassured of assistance, but a want of confidence in the enemy's camp, with the advantageous situation of the English, afforded an easy victory to a handful of troops; and Meer Jaffier, in pursuance of a previous treaty, was immediately proclaimed Subahdar of Bengal\*.

Thus a train of events led us into a delicate situation, replete with the seeds of jealousy. Meer Jaffier, educated in the habits of a Moorish court, distrusted a moderation to which he had never been accustomed, and which, probably, was little consonant to the dictates of his own mind. Various schemes of independence were occasionally adopted, all of very difficult execution. To balance European powers against each other was a dangerous expedient; yet, by inviting the Dutch, he seems at one period to have embraced it. In the mean time the English, contented with their present advantages, interfered not in the affairs of government; but the difficulties in which the nabob was involved, soon obliged him to call for their assistance.

Every thing in these countries depends on personal character. Before this is fully established, rebellions are frequent, in which the death of the rebel can prove only a lesson of caution to succeeding governors, who regard him as the victim of an unfortunate ambition, rather than the proper object of punishment. Upon these occasions negotiations commonly ensued, but the Koran was pledged in vain. Colonel Clive therefore, at the desire of the nabob, guaranteed his engagements with several powerful subjects. A strict observance of treaties amidst all the seductions which both parties could employ, established our credit in the country; and

\* Appendix, p. 143. No. 39.

taught men to regard the English faith as the best security of their lives, their honours, and their fortunes. Subsequent events, in which Meer Jaffier was snatched, by the assistance of colonel Clive, from the verge of destruction, fully secured his confidence; and, sensible of our attachment, he dismissed part of that unwieldy \* army, whose mutinies were formidable to the prince, while they performed little service in the field. When the Dutch arrived, the nabob refused them permission to land. Persisting in their enterprise, they were afterwards defeated by our troops, assisted by some Indian cavalry.

In this situation of affairs colonel Clive returned to Europe, Mr. Holwell succeeded him in the government, and very early complains of a want of confidence, which his own intrigues † had occasioned, proposing a revolution as the best means to obtain a perfect reliance upon English faith. Mr. Vansittart adopted the views of his predecessor, and Meer Jaffier was deposed within a twelvemonth after colonel Clive left the country. The disputes on this subject I shall forbear to revive.

By this revolution ‡ the company obtained an accession of revenue. The number of their troops gradually increased. The influence of individuals grew with the national power, producing numberless disorders throughout the provinces. A trade was carried on without payment of duties, in the prosecution of which infinite oppressions were committed. English agents or Gomastahs, not contented with injuring the people, trampled on the authority of government, binding and punishing the na-

\* Amounting to eighty thousand men.

† A packet from this gentleman to the Shaw Zadah, who was then in arms against Meer Jaffier, was intercepted by the latter, after Mr. Holwell had entertained the project of a revolution. It may judge of this from a former letter, in which the Shaw Zadah offered a "carte blanche if we would withdraw our assistance from this *den of evil*," the support of Meer Jaffier's government was not the subject of this correspondence. Vide Mr. Holwell's letter to colonel Caillaud, dated April 7th, 1760. That Mr. Holwell entertained the project of a revolution from his first accession to the government, has been evinced by Mr. Scrafton in his "Observations on Mr. Vansittart's Narrative." The proofs adduced by Mr. Scrafton are *extracts* from the correspondence of Mr. Holwell, as published by himself in his "Address to the Proprietors of India Stock," published for Decker. The letter here mentioned is contained in page 28, 29 of Mr. Holwell's Address, which was printed in 1764.

‡ A. D. 1760.

nob's officers, whenever they presumed to interfere. This was the immediate cause of the ensuing war with Meer Cossim, but the real source of this contest for power remains yet to be explained. It was impossible that Meer Cossim should rest the foundation of his government upon our support. Self-defence taught him to look for independence, and he sought it in the blood of all who had enjoyed the English protection. Ramnarain, the Naib of Patna, was among the number of those for whose safety our faith had been pledged, whose destruction was therefore resolved on. After bribes had been tried in vain, with the gentlemen who commanded at Patna, after every art of intrigue had been employed during several months to no purpose, the misrepresentations of the nabob, supported by the influence of Mr. Vansittart, at length prevailed in council, and the English support was withdrawn from this unfortunate man. Meer Cossim's views now became evident; for Ramnarain, having lost our protection, was soon after put to death. From that hour, no person of rank would venture to correspond with the English, and we no longer had a friend in the country. Meer Cossim withdrew to Mongheer, where, by disciplining his troops, he prepared for a struggle, which he most certainly meditated from his first accession; while in his correspondence with the governor, he constantly used the language of a man whose existence depended on the breath of the English.

On the other hand, a majority of the council viewed with jealous eyes every act of government. They considered all resistance to the privilege they claimed, as a settled determination to subvert the power of the company; and passion thus uniting with interest, they urged a measure of national policy with the little peevish petulance of a personal quarrel\*. In truth it very early became such. Meer Cossim, in the orders issued to his officers, distinguished between the trade of his friends and of those who opposed him, treating individuals with indecent reproach. Whilst the leading members of the council, regarding him as a public enemy, had resolved to annihili-

\* The minutes of some gentlemen in council, immediately preceding the rupture with Meer Cossim, abundantly justify this observation. Mr. Verelst himself, in the years 1762 and 1763 being absent from Calcutta, can speak only from public papers.



late his power. With such dispositions on both sides war was inevitable, but the moderation of Mr. Amyatt and some few others for a time suspended its commencement.

This gentleman, who amidst the violence of party rage was universally beloved, offered himself as a deputy on the part of the English, to negotiate what he thought a peace. Respected for his integrity by Meer Cossim, whose elevation he disapproved, and whose independence he opposed, it was hoped that his character might give weight to the embassy, and convince the Nabob of our sincere inclination to settle amicably the subjects in dispute. Meer Cossim, able, vigilant, and enterprising in the cabinet, was a coward by nature. While the deputies were with him at Mongheer, he might probably fluctuate in his councils, and hesitate to draw the sword\*. But the situation to which he had deliberately advanced, rendered a retreat at this time impossible. During the course of nearly two years, he had industriously involved every officer of his government in contests with the English, and laboured to make his own quarrel the common cause of his subjects. Such was the effects of this policy in inflaming the minds of the natives, that to the last hour of the war, not a man of any consequence deserted his standard.

Had the army marched three months sooner, Meer Cossim must have implicitly submitted; but an unfortunate delay, when negotiation could no longer be of use, occasioned the loss of Patna, together with one third of our troops †. The Nabob about this period put the two Sects to death for their supposed attachment to the English; and such was his implacable fury, that an hundred and fifty English prisoners were inhumanly butchered by his express command ‡. After a more vigorous resistance, than

\* See various letters of the deputies in Mr. Vansittart's Narrative, among other papers, from p. 214 to 325. Vol III.

† Three hundred Europeans and five hundred Sepoys.

‡ Two brothers, rich bankers; at the same time he destroyed every considerable man who had the slightest communication with the English.

we had ever before experienced, he was at length completely defeated, and Meer Jaffier again possessed the subahdarry of the three provinces.

Meer Jaffier, however, did not obtain that plenitude of power which his predecessor enjoyed. Limited by treaty in the number of his troops, he was not permitted to remove his court without advising the council; and they at first intended to make him a mere pageant in captivity, by stipulating the constant attendance of a body guard from the English army. Ample provision was made upon this occasion for the interest of private traders, and Meer Cossim's edict, abolishing all imposts upon commerce, was rescinded, that our gentlemen might remain the only merchants in Bengal. These essential points being thus achieved, the much talked of regulations to repress the violence of English agents were in terms declared the subject of future deliberation †.

If the country government had been oppressed before, it was now annihilated. Meer Jaffier was proclaimed in July, 1763. In January, 1764, Mr. Gray, resident at Maulda, wrote to the president, "since my arrival here, I have had an opportunity of seeing the villainous practices used by the Calcutta gomastahs in carrying on their business. The government have certainly too much reason to complain of their want of influence in their country, which is torn to pieces by a set of rascals, who in Calcutta walk in rags, but when they are sent out on gomastah-ships, lord it over the country, imprisoning the ryots and merchants, and writing and talking in the most insolent domineering manner to the fouzders and officers." Nor was the mischief confined to a particular spot; for Mr. Senior, chief at Cossimbazar, wrote the March following to the governor, "It would amaze you, the number of complaints that daily come before me of the extravagancies committed by our agents and gomastahs, all over the country." Such were the effects of this trade. Yet the article in the treaty with Meer Jaffier, which established

\* This article was in the treaty first presented to Meer Jaffier, but changed at his desire to a stipulation that the English troops should attend him when wanted. Appendix 159. No. 48. Art. 5 and the treaty concluded, p. 160. No. 49. Art. 7.

† See Appendix, p. 160. No. 49.

the exemption from duties, although condemned by the directors, was afterwards transcribed into the treaty with Nudjum al Dowlah, in February, 1765†.

When Meer Jaffier was dying, he declared his son, Nudjum al Dowlah, his successor; but such a declaration could have little effect, until an acknowledgment of him as Subahdar was procured from the English. No sooner was the death of the father known in Calcutta, than the accession of the son became a subject of treaty. The uneasiness expressed by the former determined the council to remove all possibility of future contention. To effectuate this purpose, after confirming all former treaties, Nudjum al Dowlah by the fourth article is disarmed, stipulating that he will rely upon the company's forces, and maintain no troops but such as "are immediately necessary for the dignity of his person and government, and the business of his collections through the provinces." Even these troops were not continued under the direction of the Nabob, who, by the second article, "agrees to have a person fixed with him, by the advice of the governor and council, in the station of Naib Subah, who shall have immediately under him the chief management of all affairs." He farther engages that Mahomed Reza Cawn, on whom this trust was conferred, shall not be displaced "without the approbation of these gentlemen." By the third article, under the terms of paying "a proper regard to representations, when improper people are intrusted," a general power of appointing or displacing all officers at pleasure is vested in the governor and council. Having thus provided for the public service, the gentlemen of the deputation were not inattentive to *private* interest; about two hundred and thirty thousand pounds being distributed, under the \* denomination of presents from the nabob, Mahomed Reza Cawn the minister, and a rich banker, Jugget Seet. Mr. Verelst, hearing a report in the country, which led him to suspect that our declaration in favour of the Subahdar was delayed by the negotiation of this last mentioned business, wrote to one of the

† Appendix, p 164 No. 52. Art. 5.

\* Mahomed Reza Cawn affirms that these sums were not voluntarily given. This the English gentlemen deny. Perhaps the reader, who considers the encreased power of the English, may regard this as a verbal dispute.

deputies, disclaiming any share for himself, and representing the disgrace which such transaction must necessarily bring upon all concerned \*.

Orders had before arrived for executing the new covenants to prevent a receipt of presents; which orders the servants were bound to observe by their first engagements with the company. Governor Spencer and his council thought these orders "not so † peremptory as to exclude them " from expostulating with the court of directors." This expostulation,

\* *Extract of a letter from Mr. Verelst to Mr. Middleton, one of the deputies on the accession of Nadrum al Dowlah to the Subahdarry of Bengal, dated Islamabad, the seventh of March, 1765.*

"Some rumours have spread abroad that a present is intended the council on the new accession. I hope there is no truth in it. I should be sorry there was a thought, at so critical a time, of any such thing; for it must entail, on every one concerned, the world's severe censure."

*Extract of a letter from Mr. Middleton to Mr. Verelst, in answer to the above, dated Moradabag, the eighteenth of March, 1765.*

"I have been told that the nabob intends a present to all the board, but am not quite certain of it. If such a thing be offered, I cannot, my friend, see the least impropriety in accepting of it; custom, and the conduct of one of our worthiest men, justifies it. When Meer Jaffer was first raised to the subahdarry, the board received a present from him, and were not censured; and, it is well known, that the old gentleman has since considered some of his friends\*, and, it must be allowed, that the present nabob receives his government from our hands, as his father did. If any thing of this kind was to be offered in consideration of services to be done, or any kind of bargain made before hand, it would be highly improper to take it, but when it is given for what we think right, I do not, for my own part, see the least harm in it."

*Extract of a letter from Mr. Verelst to Mr. Middleton, in reply, dated Islamabad, the twenty-eighth of April, 1765.*

"The nabob has an undoubted right to reward such persons as he may think have been serviceable to him, without reproach to him or them, provided it is not a contract first made for such services, and the persons no ways actuated in their proceedings by the expectations of it. The long delay made of our declaration in the nabob's behalf, and a rumor that a present was expected to be made to the board, gave, in my opinion, too much reason to the world to think that it was a preliminary article. If so, I must entirely disapprove it. As a member of the board, and, as such, one intended to be considered, I shall only say, I must decline such a consideration, as I am not sensible of any services I have rendered the present nabob, to merit a pecuniary reward. The old nabob (Meer Jaffer) I know has been sometimes generous to his friends, nor do I think them wrong in accepting his favours; for, as many examples as I have heard, they were really deserving of them. I might, if I had chose, been considered in this number, but I had many reasons that made me decline it."

† See a letter from Messrs. Leicester and Gray to the court of directors, dated the twenty-ninth of September, 1765. Authentic papers concerning India affairs, p. 132.

\* Alluding to the legacy of five lack of rupees left by Meer Jaffer to lord Clive, which was settled by his lordship as a fund for the support of disabled officers and soldiers in the company's service, and of the widows of officers and soldiers.

however, was totally forgotten, no notice being taken of the covenants, either in the council books or general letter. The execution of them was “deferred \* till lord Clive’s arrival, to come under consideration with “the other regulations directed in the letter of the first of June, “1764, when they hoped to be *better informed* of the final resolves of “the directors.” Yet these gentlemen were abundantly alert in concluding treaties, productive of such fruits; although lord Clive was every day expected, and they were † already informed that he had been chosen by the whole body of proprietors to undertake the charge of their affairs, full powers being given to him jointly with a select committee.

We have continued the relation of political transactions with the successive Subahdars of Bengal, that the reader may fully comprehend the progressive increase of the English power to the final establishment of *that government* ‡, which has since prevailed under the influence of our governor and council. It will now be necessary to look back to the measures pursued against foreign enemies, as these were productive of that situation, to which the subsequent treaties refer. Major Adams had driven Meer Cossim out of the provinces, who retired into the neighbouring dominions of Oude, when death deprived the company of this gallant and experienced officer. Upon the alarm of these commotions, Sujah al Dowlah, the Subahdar of Oude, advanced with an army to the borders, where he might probably have been contented with partaking the treasures of Meer Cossim, had not a mutiny among our troops given birth to new hopes. Elated with the prospect of an easy conquest, and impressed perhaps with an apprehension of ambitious designs on our part, he resolved upon hostilities, and took the field. The mutinous disposition of the English army

\* The same letter, p. 133.

† This was by the letter of the first of June, 1764, in which the directors expressly say, that the appointment of a select committee should not prevent the council taking proper measures for the general execution of the covenants.

‡ It is very remarkable that this arrangement, which has been called in derision the double government, was established by the very men who have since reproached lord Clive and the select committee with this measure. In truth it grew out of the situation of affairs, but some gentlemen seem not to have adverted thereto, until they felt it as a restraint upon their own pursuits.

rendered it imprudent at this time to hazard a general action, but Sujah al Dowlah was nevertheless repulsed in all his attempts. The troops, by a well timed severity, begun by general Carnac, and happily pursued by his successor, being afterwards reduced to obedience, major Hector Munro, in the next campaign, obtained the important victory of Buxar.

This advantage was farther pursued, until the King \*, finding the affairs of his allies declining, deserted their cause, and joined the only power capable of supporting his pretensions to the throne of Dehly. A scheme was now adopted of obtaining for the company a grant of the zemindarry of Bulwant Sing. The other dominions of Oude were to be conquered for the king, and his possession to be supported by the English arms ‡. A plan more absurd can scarcely be imagined; but the subsequent surrender of Sujah al Dowlah to general Carnac †, enabled the select committee, on whom the conduct of affairs devolved; to effect a very different arrangement.

The revenues of a country at the distance of seven hundred ‡ miles from Calcutta, could afford little advantage to a trading company; while such a situation withdrew their forces from the protection of that commerce, which could alone render possessions in India beneficial to Great Britain. Political connections without the provinces mislaid the attention of our government from national objects, at the same time that it opened a field of private ambition, which might probably have marched an English army to Dehly. To relinquish such prospects was no sacrifice of interest. Yet the restoration of territories to a vanquished enemy removed the apprehensions entertained of our ambition, and convinced the princes of India that we could have no design to enlarge our possessions beyond the pro-

\* So the Mogul has been usually denominated.

‡ Appendix, No. 51. A. B. C.

† Who now a second time commanded the army.

‡ These revenues must have been exhausted by perpetual military operations, in which such a situation would have involved the company, or, what is worse, proved a fund of peculation to corrupt their servants. The distance would have rendered the military expences enormous, the detection of frauds impossible.

vinces of Bengal. This point being resolved, the means of accomplishing so desirable an object, without betraying the honour of the company, employed the attention of the select committee. Their instructions\* to lord Clive and general Carnac will fully explain their views. Had the territories of Oude not been restored to Sujah al Dowlah, his great abilities and high character throughout the empire would have made him, when driven to despair, a troublesome, if not a dangerous, enemy. None other could have maintained the possession without our assistance, much less, like him, have formed a secure barrier against the northern nations. The greater part of his dominions were therefore restored; and as our former engagements rendered a desertion of the King inconsistent with the national honour, he was established in the country of Korah, with part of the province of Illah-abad. The payment of twenty-six lacks of rupees annually from Bengal was also stipulated by treaty. Would the King have been contented to accept a territory nearer to us, this drain of specie might have less affected Bengal; but his mind was so intent upon an ‡ expedition to Dehly, which the possession of Illah-abad seemed to favour, that an intimation of other terms was received with disgust. Such was the plan adopted by the select committee, in pursuance of which a peace was at length concluded †. The only article of a temporary nature regards fifty lacks of § rupees, to be paid by Sujah al Dowlah, to the company, as an indemnification of the expences incurred by the war.

In Bengal, Nudjum al Dowlah, after paying the sums stipulated by the treaty in February, 1765, nominally possessed a revenue of two millions. His authority in the country was insufficient even for the collection of the revenues, without our assistance. The actual administration of govern-

\* The substance of these instructions are given in a letter to the directors, Appendix, p. 6.

† After labouring in vain to engage the English, he has at length undertaken this enterprise with an army of Maharattas.

‡ In the summer of 1765. See Appendix, 176. No. 53. to No. 60.

§ This sum was greatly inadequate to our expences, but it was impossible to require more without distressing the country.

ment had therefore been given to a minister named by the governor and council, and the Nabob became dependent for his daily subsistence on the bounty of his masters. In this situation he relinquished an unascertained demand upon a treasury under the management of others, for a liquidated sum, and fifty-three lacs, eighty-six thousand one hundred and thirty-one † Sicca rupees were settled, as fully sufficient for all the purposes of personal dignity, and the parade of grandeur. This agreement was confirmed by the King, who, subject to the several payments to Nudjum al Dowlah and himself, granted the dewanny of Bengal, Bahar, and Orissa, to the English East-India company.

If we review the history of our transactions in Bengal, it cannot escape the most superficial observer, that there was but one point, in the progressive aggrandizement of the company, at which it was possible to have stopped, before the force, revenues, and government of the country were united in the hands of the English. When Calcutta was taken, self-defence involved us in a war with the Subahdar. Our first successes proving the superiority of European discipline, made us the object of his fears; and nothing but an incapacity of effecting his purpose could deter any successive Subahdar from attempting our destruction. This incapacity was happily effected by engagements taken at the desire of Meer Jaffier, with Ramnarain, the Naib of Patna, and some others. Had these engagements been religiously observed, the English would have stood, like the several nations in Europe, secure, not from their own strength alone, but protected by the irreconcilable interests of all around them. No sooner was this system overthrown by sacrificing our allies, and surrendering the unrestrained dominion of the provinces into the hands of Meer Cossim, than a decided superiority became the only means of safety. The conduct of individuals might accelerate or retard, but never could have prevented the ensuing contest for power. Impelled by necessity, we proceeded to dominion, before the council at Calcutta seemed to have understood the situation to which they had advanced. In what other manner can we account

† This we may safely aver was a larger sum than any Subahdar, in the full possession of his revenues had ever been able to appropriate for his own expense.



for the remissness of those who, upon the death of Meer Jaffier, neglected to establish the foundations of that fabric which our victories had reared; who gave the revenues of a great country into the hands of a boy, without the means of employing them; the revenues of a country protected by our arms, the government of which, by their own treaty, was transferred to themselves\*. Such a situation might gratify individual avarice, but could yield no real benefit to the India company, or to the British nation.

Lord Clive and the select committee judged it necessary to obtain a grant of these revenues to the company, and they were accordingly surrendered by treaty. "By this acquisition of the Dewanny," say the select committee in their letter to the court of directors, "your possessions and influence are rendered permanent and secure, since no future Nabob will either have power or riches sufficient to attempt your overthrow, by means either of force or corruption. All revolutions must henceforward be at an end, as there will be no fund for secret services, for donations, or for restitutions. The Nabob cannot answer the expectations of the venal and mercenary, nor will the company comply with demands injurious to themselves out of their own revenues †."

The impolitic arrangement of affairs was among the least evils of the company's situation, antecedent to lord Clive's arrival. The dissolution of government in Calcutta kept pace with that of the country. A general contempt of superiors, a habit of equality among all orders of men had obliterated every idea of subjection. To reclaim men from dissipation, to revive a general spirit of industry, to lead the minds of all from gaudy dreams of sudden-acquired wealth to a patient expectation of growing fortune, were no less difficult in execution than necessary to the existence of the company. Large sums of money, obtained by various means, had enabled many gentlemen to return to Europe. This cause, superadded to the massacre of Patna, occasioned a very quick succession in the service, which encouraged

\* Appendix, No 52.

† Appendix, p. 8.

a froward spirit of independency, and produced a total contempt of public orders, whenever obedience was found incompatible with private interest. To check such impatient hopes, where youths aspired to the government of countries at an age scarcely adequate to the management of private affairs, four gentlemen being called from Madras, were admitted into council. The universal discontent among the civil servants, which had arisen from the late measures, restraining the power of individuals, was hereby greatly increased; and united with the mutinous spirit of the military officers, broke forth the following year into a flame, which threatened destruction to the English empire in Bengal.

This event, though among the transactions of a later period, may not improperly be here explained. The military in Bengal had for several years enjoyed an indulgence beyond those in the other settlements of the company, which first arose from the bounty of the Subahdar, when they were employed in his service. By the advice of an officer, who had long commanded the company's troops upon the coast of Coromandel, with great reputation to himself, and honour to the nation, representing this extraordinary allowance as destructive of discipline, the directors in their public letters had frequently ordered the double batta\* to be withdrawn. Such directions in a settlement, where all idea of subordination was lost, and where the conduct of the superior servants, respecting their own interests, could ill be reconciled with a rigid exaction of obedience to the company's commands in others, produced little effect. One feeble effort was made, but a remonstrance from the military induced a ready submission on the part of the governor and council. The select committee very justly conceiving, that a regard to private interest would not justify a disobedience to the † positive injunction of their superiors, resolved to carry the measure into immediate execution. The reduction of batta, if right in itself,

\* A repetition of this command was among the particular instructions to lord Clive in 1764.

† Under the establishment of this double batta, a captain's commission produced little short of one thousand pounds per annum; when reduced, it was worth from six hundred and fifty to seven hundred pounds, as appeared upon the action of captain Parker against lord Clive.

was peculiarly proper at this time, an ample fund being just provided by the establishment of lord Clive, for the support of invalids, and the widows of officers who died in the service, at the same time that the admittance of field-officers to a share in the salt society opened a reasonable prospect of easy fortunes to those whose rank intitled them to such an expectation. No sooner were the orders issued for effecting this reduction, than frequent meetings were held among the officers, a regular correspondence established between the three brigades, into which the whole army had been divided; and a combination formed to compel a submission to their demands by a general resignation of all their commissions. They bound themselves by the most solemn oath to secrecy, engaging under the same sanction to preserve by force the life of any officer, whom the rigour of a court-martial might condemn to death. Each man entered into a bond to resign his commission under the penalty of five hundred pounds; and that every inducement to a recantation of these engagements might be effectually removed, a sum, said to be eighteen thousand pounds, was subscribed for the unfortunates who should not be restored, each officer contributing according to his respective rank. Desirous of uniting their cause with that of all who opposed the present government, they corresponded with many on the civil establishment in Calcutta, and received large promises of support likewise from this quarter. Such inviolable secrecy did the officers observe, that a letter from sir Robert Fletcher to lord Clive, dated a few days before the resignation, brought the first intelligence of a conspiracy, which had for its object the dissolution of our army, and consequent annihilation of the English power in Bengal. A discovery of this plot on the eve of its execution, affording no time for delay, lord Clive and two other members of the select committee, then at Muxadavad, hastily assembled. Judging it impossible to concede the point in dispute, without surrendering the government into the hands of mutineers, they instantly determined to persevere in such vigorous measures as the situation of affairs demanded.

At Mongheer, where the plan had been formed, the European soldiers actually took to their arms; but by the assistance of some superior officers, who, upon the first intelligence, hastened to join the brigade, and by a prudent

prudent disposition of two companies of black troops, whose fidelity had been previously secured, the mutiny was happily suppressed. By a distribution of honorary rewards to the non-commissioned officers, by an artful commendation of the black commandants, and a small advance of pay for two months, the troops were brought to a proper sense of their duty; and the confederate officers, who encamped at a little distance to await the event, were compelled to depart for Calcutta. The attachment of this brigade being confirmed, and a small supply of officers obtained among such as would accept commissions, lord Clive, with a few others, hastened to give their assistance in the two more distant divisions of the army.

On the part of the mutineers despondence and submission now succeeded to rage. All were ready to solicit what a little time before they had contemptuously rejected; and many of the least guilty, after a proper interval, were re-admitted into the company's service. The most active ringleaders in sedition were put under arrest, in order to take their trials as soon as a restoration of order and discipline would permit the commander in chief to assemble a proper number of officers, untainted with the \* general guilt.

An erroneous interpretation of the act of parliament for punishing mutiny and desertion in India, suggested a doubt respecting the jurisdiction of a court-martial, which probably preserved many delinquents from a sentence of death. The act subjects those to martial law, who have *contracted* to serve the company, and it was conceived that the bare acceptance of a commission formed no *contract*, but that this could only be done by an *express engagement to serve* for a limited time, or an *actual receipt of pay*. Some punishments of an ignominious nature were inflicted;

\* Mr. Bolts asserts that Mr. Parker failed in his action principally, because it did not appear that lord Clive knew of his confinement. The contrary is notoriously true, and was fully proved upon the trial by written evidence, and by the testimony of lord Clive's secretary. But the counsel despairing of success upon the avowed merits, laboured to affect lord Clive with a wilful unnecessary delay of the trial, and prolongation of captain Parker's confinement. This delay was explained in the manner above mentioned. If Mr. Bolts will misrepresent a trial in England, at which many were present, what account may we expect of affairs in a remote country like India?

but the court, distrusting their own authority, would not venture to touch the lives of the offending parties. The sentences passed upon individuals were severally confirmed. Yet the governor and council thought it unsafe to permit the residence of military men in India, who now became desperate by the failure of their enterprize. Such therefore as had not been restored to the service, were directed to depart for Europe. Had these gentlemen been willing to enter into a verbal engagement, no violence would have been used; but obstinately refusing to comply, a military guard surrounded their habitations until they chose to surrender; when they were conducted on board the company's ships under sailing orders for England\*.

The reader may perhaps think that an evasive defence was a real aggravation of guilt. These gentlemen however chose again to agitate the question of jurisdiction; and the support of a party spirit gave every advantage to the cause, which industry, united with eloquence, could afford. Two cases were selected, which from peculiar circumstances of hardships were deemed the most proper subjects of declamation before a jury. Two actions were commenced against lord Clive in the court of king's bench. In both the plaintiffs failed. It was here admitted, that the acceptance of a commission formed an indefinite contract with the company: but the counsel argued that this might be determined at the will of either party, and being determined by the resignation of the officers, no jurisdiction remained to the court martial. They forgot that even civil relations could not be dissolved by one party without a reasonable notice, proportioned to the nature of that service in which he was engaged. That the British legislature had adopted a distinction formed by the common sense of mankind, and had drawn yet closer the ties of military subjection. They overlooked that necessity, which induced the free citizen of Greece and

\* These are the transactions which the narratives, published in Mr. Bolts his Appendix, represent. These narratives, when stripped of their declamation and illiberal invective, only prove that some of the officers were so obstinate as to live several days amidst their own filth rather than surrender; that ten of a grand jury, as absurd as themselves, were disposed to indict the president and council, and that after various expedients had been tried, they were obliged to pursue their voyage to England.

Rome to forego his independence, and submit his life to the arbitrary will of a man, to whom at home he was equal, whom perhaps he himself had commanded in a former campaign. In short, they contended that inferior officers might disband an army, whenever they individually thought fit to retire.

The very idea of military subordination is by a rigid discipline to combine the force of numbers, and create an habitual implicit submission of the strength of many to the instantaneous direction of one mind. This principle, by which the real severity and apparent cruelty of martial law can alone be justified, might perhaps have authorised an opinion, that no officer can ever resign without the express permission of his commander. The four judges of the court of king's bench, unwilling to decide more than the particular case required, established by their unanimous judgment this position: "That a military officer in the service of the East India company has not a right to resign his commission at all times, and under all circumstances whatsoever, whenever he pleases." The application of this maxim to the particular case, proved, that, if it was not lawful to resign *under all circumstances*, it could not be permitted under a combination with others to distress his employers, which Mr. Justice Yeates declared to be "highly criminal, and that a legal obligation could not be dissolved by an illegal act."

The reader will, in the relation here given, discover the rise, motives, and temper of that party, who, forgetting their former opinion both of men and things, have laboured to misrepresent the conduct of those, whose greatest crime appears to have been a continual unremitting opposition to the interested designs of others. "Two paths," says lord Clive in his letter to the directors, "were evidently open to me, the one smooth and strewed with abundance of rich advantages, that might easily be picked up, the other untrodden, and every step opposed with obstacles." A passive conduct, he says, might have been "attended with the usual douceur, of sharing largely with the rest of the gentlemen in all donations, perquisites, &c. arising from the absolute government and disposal of all places in the revenues of this opulent kingdom." He adds,

adds, "the settlement in general would thus have been my friends, and "only the natives of the country my enemies." His lordship and the select committee chose the honourable part, to encounter the odium of a whole settlement in discharge of what they deemed their public duty. And we may safely pronounce, that it must have been at least their intention, exposed as their conduct was to the jealous eyes of disappointed men, to tread warily in the path which they had chosen.

Let us now return to take a view of the measures pursued in supporting that weight of power and influence, which the company had at length obtained. The reader will recollect, that by the treaty concluded before lord Clive's arrival, the government of the Nabob was completely subjected to the English council at Calcutta. To uphold our authority was become the only means of safety. Yet a farther advance to the actual immediate exercise of dominion was little less impracticable. The number of civil servants was scarcely adequate to the necessary accumulation of the company's business, much less could they have filled the various departments of the state. Unacquainted with the genius or manners of the inhabitants, their laws, or the power of their magistrates, the English were little qualified for the task of government. How could we make the sordid interests of the trader consistent with that unbiassed integrity, that candid humane exercise of power, which must reconcile the natives to a new dominion? In whom reposed the authority which could effectually controul them? or give a legal existence to so absurd a system? The delegates of a company, possessing no right of legislation, might indeed have overturned the then subsisting government, but never could have substituted any other in its room. This subject will receive a farther discussion when we proceed to consider the impossibility of introducing English laws, and the nature of those regulations, which parliament *may*, and parliament alone *can* establish in Bengal. The select committee found the whole administration vested by treaty in one man, removeable indeed upon the representation, or rather command of the council. No personal objection could be made to Mahomed Reza Cawn, who by his ability and industry well deserved his station. Yet by an uncontrouled exercise of power he became little less than a Subahdar: and had fear, jealousy, or ambition  
tempted

tempted him to transgress the bounds prescribed, the support, controul, or removal of such a minister might have been a constant source of intrigue, or not of corruption. The select committee therefore associated \* Roy Dulub, and Jugget † Seet with Mahomed Reza Cawn. A resident at the court of the Subahdar was also appointed, one of the higher servants of the company, whose duty consisted in superintending the conduct of the ministers, and reporting their transactions to the governor and council.

\* This man was one of those, to whom the English faith had been pledged for the preservation of his life and honour. During the first government of Meer Jaffier, he was in a considerable command, but being dispossessed by the jealousy of his master, he claimed the English protection, under which he afterwards resided at Calcutta. He was the single man connected with the English, who did not perish during Meer Cossim's short government.

† This Jugget Seet was the son of one of the Seets, two brothers who were destroyed by Cossim for their supposed attachment to the English.



## C H A P. II.

Disorders in the Collection of the Revenues of BENGAL before they belonged to the ENGLISH EAST INDIA COMPANY, and the Causes which impeded a Reformation.

**T**HE subject of revenues in Bengal is from various causes involved in a confusion, which affords little hopes of giving the reader a clear comprehensive knowledge, or indeed of conveying much real information. Different writers agree in nothing, but unmeaning declamation in praise of governments, which they have never known, and general invectives against men, with whose motives and situation they were as little acquainted. It can however with certainty be affirmed, that the disorder and distress, under which the country yet labours, have their origin in the frequent revolutions, which followed the dissolution of the Mogul empire, the chaos in which all rights of magistrates and people were consequently lost, and in the unnatural pressure of insatiable demands from Europe; not in the misconduct of men entrusted with the company's affairs.

The formal arrangement and apparent order of the Mogul empire, beautiful in its simplicity upon paper, is apt to charm the imagination, and mislead the judgment of men, unaccustomed to contemplate their own species, or to trace the operations of the human mind under systems more favourable to its growing improvement. Accordingly this golden age has been painted in such glowing colours, as would almost tempt one to place the suggestions of fancy amidst the materials of history. The authors however sometimes forget their high tone of speculation, and condescend to relate facts, which refute their own deductions. How happens it, amidst the excessive mildness of manners, which under Indian govern-  
ments

ments \* render laws unnecessary, that the merchant owed his safety to a military force? How exact must be the administration of justice where treason abounds, yet is punished only † in the field? Are men best taught to respect the rights of a citizen amidst the ardours of victory? Or do the emotions of resentment against successful rebellion qualify the prince to punish with moderation the demerits of an offending subject? In truth the condition of a people under despotic power must perpetually vary with the virtues or vices, the talents or debility of those, who successively wield the sceptre. If we look for governments which subsist unaltered by the personal character of the prince, such are only to be found, where each individual possesses an independent station in society, where the contention of different orders has prescribed the terms of national union, and where vigorous minds, the genuine growth of freedom, uphold the authority of laws. Without such advantages there were yet some causes derived from the climate and extent of empire, which rendered despotism more tolerable in India, especially under the Moguls, than it ever before appeared in the history of mankind. The submissive temper of a timid race arrests the sword of conquest; and the people escape a desolation, which not unusually follows a more determined resistance. Secure, without severity, in the indolent temper of his subjects, the victor fears not a revolt from any national spirit, while he views with jealousy the ambition of his servants. Such a situation demands the policy described by Mr. Dow, and renders it unnecessary for the despot to delegate his power entire to the governors of every province.

While the Mogul empire subsisted in its greatest splendor, supported by the extraordinary talents of successive princes, a distribution of authority might in some sort prevent its abuse: but even here we may discover the seeds of our present disease.

The lands were the property of the crown, and were annually let to zemindars, who again parcelled them out to inferior dependents. The

\* Mr. Holwell's Historical Events.

† Mr. Dow's Enquiry, p. 38. He is there speaking of the Mogul government.

ryotts, or immediate cultivators, might in some degree escape oppression, where the demands of government bore a small proportion to the extent of territory, and where each individual in progressive order regarded his share of the produce as a kind of proprium. This situation of things did not however long continue. The Subahdars, or provincial governors, taking advantage of the indolence or debility of succeeding emperors, and uniting every office in their own persons, were afterwards enabled to compromise with the court of Dehly for an annual tribute; which a farther decay of power in their former rulers soon permitted them to withhold. In Bengal, during this progress to independence, burthens multiplied on the people; and while a mode of taxation, so replete with the means of oppression, was preserved, the receipts of the Subahdar bore a small proportion to the payments of the industrious ryott. The violence of Meer Cossim in accumulating treasure, and the relaxation of government in the \* hands of Meer Jaffier, equally contributed to confound all order, and by removing every idea of right, sanctified in some sort the depredations of hungry collectors. The feeble restraint of fear produced little effect; while the encreasing necessities of a master afforded at least a pretence for an uncontrouled exercise of power throughout every department in the state. Inferior officers employed in the collections were permitted to establish a thousand modes of taxation. Fines were levied at pleasure, without regard to justice; and while each felt in his turn the iron rod of oppression, he redoubled these extortions on all beneath him. The war in which Meer Jaffier was engaged against foreign enemies, the struggles of Meer Cossim, which ended with his destruction, and the usurpations of private traders completed the scene of universal confusion.

Such was the condition of Bengal when the politicians, who preceded the select committee, laying prostrate the government of a rich province, were employed in obtaining new territories at a distance of seven hundred miles from Calcutta; and with wonderful self-applause were preparing the occasion of an unprofitable march to Dehly. The reader is already in part

\* Meer Jaffier, during the reign of Aliverdi Cawn, was much beloved by his master as a brave commander; but he wanted industry in the administration of civil government.

acquainted with the measures pursued by the select committee. We must now resume the subject, where they entered on this inextricable labyrinth of confusion, arising from the distracted state of the country, without lights or information from others; while their difficulties were augmented by an interested opposition, and every regulation of the ministers impeded by a complication of concerns between European gomastahs and the zemindars or officers of government\*.

Independent of the political considerations, which weighed in preserving the Moorish government, the experience of five years afforded little expectation of an improved administration of revenues under the more immediate inspection of European gentlemen. Some of the districts ceded by Meer Cossim had yet derived no benefit from a change of masters. On the contrary, if credit be due to the representations of those employed by Mr. Verelst, when a better system was adopted, increasing mischiefs had yielded a plentiful harvest to avaricious men, but had rarely hitherto proved an exercise of humanity in these new guardians of the people. An apprehension of exciting the jealousy of European nations might be another inducement to avoid as much as possible all appearance of dominion. The committee therefore resolved to appoint a resident at the Durbar, who, without interfering in the actual administration himself, might yet controul the ministers. When this gentleman arrived at Muxadavad, he found two of the three ministers busied in collections without public authority or account, under pretence of outstanding ballances due to themselves. The first regulations established were, that no collections should be permitted but such as were contained in what is called the annual statement; and that all monies received should be lodged in a public treasury under three locks. These provisions, however necessary, offended Roy Dulub and Juggut Seet, who declared their intention to retire. The latter particularly represented the establishment of a public treasury as an affront to his house, which had always been entrusted with the receipts and disbursements of government. Mr. Bolts nevertheless affirms him to have been appointed the company's shroff†; but for this assertion, like the

\* The correspondence abounds with complaints of this nature. Vide in particular the letter of Mahomed Reza Cawn, App. p. 181. No. 74. and also No. 79. † Considerations, p. 158.

greater part of his book, we are indebted to the invention of the author.

The pressing necessities of the company in Bengal, and the great demands from our other settlements, rendered it imprudent to remit any part of the revenues. To increase the burthens of the ryott, or cultivator, was at the same time impossible, without ruin to the country. The only fund of improvement was a diminution of the expence in collecting. For this purpose supernumerary officers were dismissed. An exact register was taken of those employed in each district: and by lessening the profits of intermediate agents the people were in some degree relieved from oppression, while the receipts of the treasury increased.

The uncertain imposts upon commerce had proved a plentiful source of abuse, chokeys, or custom-houses, becoming daily more numerous in every part of the provinces. These were now reduced to a stated number, and proper officers appointed to enforce a regular and equal payment of duties.

The situation of the English resident at the Durbar, surrounded by people whose interest led them to deceive, was such as in superintending the collection of the revenues required extreme caution. Every interposition might produce the most important consequences; and the novelty of the scene afforded a large field for error. Much information, however, obtained by tracing many frauds to the source, aided by experience acquired in the management of the company's lands, where European gentlemen had the immediate administration of the revenues, might probably have given a better arrangement in the course of a few years: but orders now arrived from England, which precluded a more minute investigation.

It will be impossible to do justice either to the gentlemen in Bengal, or to the court of directors, without tracing these orders to their real source, in the transactions of the company in England: but not to distract the reader's attention with too great a variety of matter, I shall first explain how the revenues chiefly arise, and the measures pursued by the select committee.

The

The revenues are chiefly derived from the lands, which are known by various denominations. Those called *ryotty* are possessed by tenants resident on the spot, who by their grants ought to be continued as long as they paid their rents. But as larger rents have been frequently exacted, an encrease beyond what a tenant can afford, together with other oppressive demands from his superior landlord, or the officers of government, not unfrequently compels him to fly from the estate, on which perhaps his family have subsisted for many generations.

The *comar* lands have no resident tenants, but are cultivated by contract, which there are many persons in all parts of the country ready to undertake, if the *zemindar*, who rents the district, will give proper encouragement. The *zemindar* usually advances a sum of money to the cultivator, who would otherwise be unable to improve and till the land. The crops when gathered in are divided according to the terms of the contract between the two; but as the indigent cultivator has probably subsisted by means of an advance made by the *zemindar*, the latter, after settling all accounts, will sometimes obtain the lion's share.

When the *ryott* or farmer forsakes his habitation, and encouragement is wanted to cultivate the *comar* lands, both fall occasionally under the management of the officers of the government, and are then called *cofs* lands. These last generally decline much in value in the hands of men, whose tyranny has driven away the former tenants. By a wretched policy oppression becomes the interest of those, who should protect the people; for as it is impossible that the higher officers of government can ever know what part is really cultivated, the *cofs* is a never ceasing occasion of fraud in the accounts of inferior collectors \*.

The remainder of the lands, excepting such as are held by the immediate officers of government, are divided into *talooks*, *jaghires*, and

\* These particulars are more largely explained in the instructions drawn up by the president for the *suparcissors*. Vide App. p. 227.

charitable or religious donations. The talooks have been in general partial grants to individuals; and many privileges are indulged to the owners, particularly in their taxation. Jaghires \* are also grants from the prince, of lands during the life of the grantee, sometimes to his descendants. A small tribute is usually reserved, the jaghiredars being free from every other imposition. The two last divisions, namely charitable and religious donations, have been given for various purposes by successive princes, some through zeal, but most through vanity, and form no inconsiderable part of many districts. These, by the terms of the grant, are usually exempt from all burthens.

Other † lands are possessed by the zemindars or officers, for the immediate support of themselves and families. This mode of payment affords an ample field for the exercise of fraud and oppression. Perpetual encroachments are made, and lands, struck out of the government books as waste, are very commonly thus appropriated. The poor ryott also is here forced to labour for his lordly master without reward, while perhaps his own farm at the same time remains uncultivated.

In the provinces of Burdwan and Midnapore, of which both the property and jurisdiction were ceded to the company by Meer Cossim in the year 1760, those evils, which necessarily flowed from the bad policy of the Moorish government, had in no sort decreased. On the contrary, a plan was adopted in 1762, productive of certain ruin to the province. The lands were let by public auction for the short term of three years. Men without fortune or character became bidders at the sale; and while some of the former farmers, unwilling to relinquish their habitations, exceeded perhaps the real value in their offers, those who had nothing to lose advanced yet farther, wishing at all events to obtain an immediate possession. Thus numberless harpies

\* Jaghires are frequently grants of annual stipends, issuing from the revenues of a particular district.

† These grants much resemble the talooks, and are in some places classed under that denomination.

were let loose to plunder, whom the spoil of a miserable people enabled to complete their first year's payment. The renter under so precarious a tenure could not venture to encourage inferior farmers by advancing money, which is seldom repaid within three years; and without this advance, even the implements of husbandry were wanting to cultivate the lands. Great part of the renters, incapable of fulfilling their engagements, applied to be discharged within the second year, desirous of abandoning their whole property, if they might be permitted to relinquish their unprofitable farms. A nominal increase of revenue had by these means been obtained; but so defective were the actual receipts, that an unprecedented general tax upon the *bazee zemeen* or charity lands, was now thought necessary to complete the payments stipulated to the company.

This untoward situation induced the select committee in the autumn of 1765, to appoint Mr. Verelst supervisor of Burdwan. It appeared that on the second sale for three years, bidders had been found for little more than two fifths of the lands, the most beneficial of which were held in different names by the officers of government, and banyans of European gentlemen. The remainder, under the denomination of *cofs*, fell into the hands of collectors, who oppressed the people, bringing what they pleased to account. These last with a frankness inspired probably by a confidence of not being refused, proposed to lay open all their frauds, and to divide their profits in such proportions as the resident and his agents should approve. The first object was to remove these vermin by finding tenants for the deserted lands; and, although the season was far advanced, many substantial people readily engaged upon an assurance of not being dispossessed. A moderate rent was paid the first year, a larger the second, and on the third the highest which had ever before been given; the tenants nevertheless consenting to pay any general tax that might afterwards be laid upon the whole province. The officers of government were compelled to relinquish either their office or their farm. The burthens of the province were diminished; and, while each individual reaped the fruits  
of



of his toil, the lands were highly cultivated and improved. The various regulations established would afford but an unpleasant detail\*; let it suffice therefore to observe, that the revenue to the company increased, while Burdwan in a few years became the most flourishing district of Bengal.

Burdwan province, from the 1st of May, 1760, to the end of April, 1770, in account with the East-India company's treasury, for nett revenues, paid in, clear of all charges.

May to the end of April.						Cur. Rupees.
1760	-	1761	Cash received †	-	-	607,482
1761	-	1762	Ditto	-	-	3,841,987
1762	-	1763	Ditto	-	-	3,949,167
1763	-	1764	Ditto	-	-	3,286,101
1764	-	1765	Ditto	-	-	3,629,789
1765	-	1766	Ditto ‡	-	-	3,567,854
1766	-	1767	Ditto	-	-	4,288,171
1767	-	1768	Ditto	-	-	4,149,471
1768	-	1769	Ditto	-	-	4,158,387
1769.	-	1770	Ditto §	-	-	3,948,037

The same regulations were established in the other proprietary lands of the company, with nearly the same success.

\* Vide letter of Mr. Verelst, App. p. 212. No. 131.

† This year the company obtained possession, but only a small part of the revenues was brought into the treasury, after reducing the rajah.

‡ Mr. Verelst was appointed to the superintendence of this province in the year 1765, and the effects of his arrangement will be seen in the receipts of the succeeding years, although part of the lands being let by auction, his regulations could only extend to the remainder. It must also be remarked, that the duties upon salt, made within the province, which in former years made a part of these revenues, were, after the establishment of the society in the year 1765, paid into the treasury of Calcutta.

§ This last was the year of the general famine.

Midnapore province, from May 1760 to April 1770.

May to the end of April.					Cur. Rupees.
1760	-	1761	Cash received	- - - -	116,925
1761	-	1762	Ditto	- - - -	857,983
1762	-	1763	Ditto	- - - -	743,330
1763	-	1764	Ditto	- - - -	748,777
1764	-	1765	Ditto	- - - -	590,932
1765	-	1766	Ditto	- - - -	732,055
1766	-	1767	Ditto *	- - - -	1,005,882
1767	-	1768	Ditto	- - - -	884,390
1768	-	1769	Ditto	- - - -	975,051
1769	-	1770	Ditto	- - - -	902,149

Calcutta towns, and twenty-four Purgunnahs, from May 1760 to April 1770.

May to the end of April.					Cur. Rupees.
1760	-	1761	Cash received	- - - -	730,591
1761	-	1762	Ditto	- - - -	597,355
1762	-	1763	Ditto	- - - -	486,352
1763	-	1764	Ditto	- - - -	740,473
1764	-	1765	Ditto	- - - -	979,349
1765	-	1766	Ditto	- - - -	602,459
1766	-	1767	Ditto	- - - -	801,571
1767	-	1768	Ditto †	- - - -	1,116,395
1768	-	1769	Ditto	- - - -	1,030,464
1769	-	1770	Ditto	- - - -	1,022,845

\* Mr Verelst took charge of this province in the year 1766, and the increase of revenue may be seen in the accounts of the succeeding years. It must be observed, that during the three last years, extraordinary expences were incurred to reduce some rebellious Zemindars upon the borders of the province. These expences being deducted, make the sum paid into the company's treasury less than from 1766 to 1767, but the actual receipts never fell short of the increased rents established during the four last years.

† The arrangement of Mr. Verelst was made in the latter end of the year 1766, and the increased receipts need no other comment than a reference to preceding years. The apparent variation during former years was owing to the irregular payment of the Jaghire, the revenues themselves having undergone no great alterations.

Chittagong province, from January 1761 to April 1770.

						Cur. Rupees.
Jan. 1761 to Apr. 1762	Cash received *	-	-	-	-	728,508
May 1762 to Apr. 1763	Ditto	-	-	-	-	467,368
1763 — 1764	Ditto	-	-	-	-	420,474
1764 — 1765	Ditto	-	-	-	-	404,721
1765 — 1766	Ditto	-	-	-	-	366,158
1766 — 1767	Ditto	-	-	-	-	378,830
1767 — 1768	Ditto	-	-	-	-	422,766
1768 — 1769	Ditto	-	-	-	-	432,540
1769 — 1770	Ditto	-	-	-	-	398,835

When the dewanny was first obtained by the company, a want of knowledge, or even the means of immediate information, rendered it impossible to correct the many abuses incident to the established mode of collecting the revenues. Many causes likewise concurred to make any direct interposition at this time highly impolitic. All power had in effect been transferred from the Subahdar of Bengal to the English East India company; but the lenient hand of time was necessary to soften that disgust, and quiet that alarm, which foreign nations, as well as the natives, might naturally conceive upon so great a change. The select committee considered, that should they attempt innovations upon the precarious foundation of opinion, any failure of success might disarrange the affairs of their employers, disappoint their expectations, and afford a plausible ground of complaint in England; where men, unacquainted with this very extensive and complicated subject, would judge wholly by the event; and where various plans successively adopted by contending parties, might, if the project were too hastily undertaken, remove all probability of future improvement. Impressed with these sentiments, they very wisely determined to assume the slow but certain conviction of experience for their guide, giv-

\* This year includes great part of the revenue due in the preceding year. Mr. Verelst was appointed to the chiefship the beginning of 1761, and quitted it in 1765. This province being exposed to frequent alarms, the revenues must fluctuate more than those in secure situations. But it may deserve to be remarked that the Subahdars of Bengal seldom received more than two hundred thousand rupees revenue.

ing their first attention to those provinces, the revenues of which had been subject to the administration of Europeans from the first cession of these lands by Meer Cossim, in 1760. The event corresponded to their views. In the year 1769, the condition of these last mentioned provinces formed so striking a contrast to the other parts of Bengal, where the oppression of the ancient government was universally felt, that foreigners as well as natives began earnestly to wish for a more extensive reformation. The committee therefore taking advantage of an equivocal permission in a letter from the court of directors, resolved to undertake this very arduous task.

Although the necessity was urgent, yet the difficulties were great. In a country so subject to revolution, infinite varieties prevailed in the government of every separate district. In some hereditary rajahs preserved the appearance rather of tributary princes, than delegates of power; but the jealousy of the Subahdars, and an increased taxation had left them little more than a nominal authority. In other parts again, a forfeiture, or extinction of these families, had established the more immediate jurisdiction of the Subahdar. Yet here perhaps the zemindars retained their hereditary rights. The greater part of the country laboured under an unbounded despotism, where the late disorders had increased the evils incident to this ruinous state. Zemindars and collectors combined together to prevent a detection of their frauds, and, sensible of their own precarious condition, laboured by every oppression to accumulate that species of wealth, which, capable of concealment, seemed alone to deserve the name of property; while a long train likewise of dependents and intermediate agents fattened on the spoils of the industrious ryott. The mildness of European manners, introduced by our influence at the Durbar, perhaps aggravated the mischief, by removing in some sort the restraint of fear.

To attempt a reformation, and at the same time to preserve the revenues entire, required a minute local investigation. Supervisors were accordingly appointed to collect the necessary information in the several divisions of the country. The nature of their office, the object of the undertaking,

and the means of accomplishing the business upon which they were sent, are so fully explained in the instructions drawn up by the president, that a farther discussion of the subject in this place would unnecessarily fatigue \* the reader. It will here be sufficient to add, that should the measure be tolerably executed, the board of revenues, which the directors have since established, will find no materials can be wanting to effect a complete arrangement, and diffuse that prosperity which at present so eminently distinguishes the proprietary lands of the company.

To judge of the conduct of the select committee, and their successors, in the management of our revenues and commerce in Bengal, it will be necessary to take a view of the situation of the directors, which, without any default in them, produced orders the most ruinous to the company's affairs.

When advice of the grant of the dewanny first arrived in England, a party were in possession of the direction, whose greatest error perhaps was an impolitic prosecution of certain gentlemen just arrived from India †. Had they abstained from this act of national justice, their power would have enabled them to resist the interested madness of others; but it was impossible at this time to foresee that the chancellor of the exchequer should conspire with a faction in Leadenhall-street, to sacrifice equally the interest of the company, and that of the state.

The directors, aware of the difficulties to be encountered, endeavoured to increase their own authority by removing every suspicion of private interest in the opinions which they found it necessary to recommend; and very laudably abstained from all ‡ engagements which might lessen their influence in the discharge of their public duty. Every precaution was vain. The torrent soon became irresistible, and men, ignorant of the

\* See the Instructions in the Appendix, p. 224, et seqq.

† For a breach of covenants in the receipt of presents.

‡ These gentlemen had the first intelligence, and by purchasing stock, might easily have made immense gains. Their scrupulous delicacy and strict self-denial appeared afterwards upon an examination at the bar of the house of commons.

subject, presumed to act, until dear-bought experience evinced the impossibility of separating the interest of the stock-holder from that of the company.

At this time many needy adventurers hoped a golden harvest in the stock, and paying an immense interest for money, were disposed to sacrifice every real advantage as proprietors, to the flattering prospect of present gain. Those servants of the company whose safety depended on the overthrow of the directors, employed their wealth in creating votes; and some candidates for the direction, to gratify their own ambition, readily placed themselves at the head of so respectable a corps.

The faction thus formed, steadily pursued their plan; and having by infinite arts raised the public expectations greatly beyond the size of the object, they fed the common desire of gain with promises, which ignorance inflamed by passion could scarcely hope to accomplish.

A claim to the revenues on the part of the crown produced a negotiation with the minister, when a contested election for directors approaching, this troublesome faction endeavoured to enlist as many as possible by flattering the wishes of all. They produced a plan of accommodation with government, by which nine hundred thousand pounds per annum were promised to the exchequer, and fourteen per cent. dividend to the proprietors *for fifty years*: but so little attention was paid to the means suggested for carrying this plan into execution, that the revenue was separated from the trade; and such a complication of accounts would have ensued, both at home and abroad, as must have caused endless disputes between government and the company, equally injurious to the interest of both.<sup>A</sup> The directors, on the contrary, endeavoured to unite these interests, discordant only to uninformed minds; and, by making the receipts of the treasury depend on those of Leadenhall-street, hoped to remove every ground of future jealousy. They proposed to give four hundred thousand pounds, or twelve and a half per cent. dividend to the proprietors, and apply one half of the remainder to the payment of the company's debts, the other moiety to be received by the exchequer. By securing a dividend to the proprietors

proprietors in the first instance, the price of stock would become as fixt and permanent, as the nature of a trading company would admit: while by appropriating the surplus, all future increase of dividend would be a distant object, and the resolutions of the court of proprietors be no longer governed by the views of stock-jobbers, or interests of the Alley. By participating all advantages with the exchequer a confidence might be established, and ministers no longer receive every proposal of directors with the jealousy of a rival. A sudden change of circumstances required many alterations in revenue laws, many new political arrangements. These would be undertaken without the embarrassment of distrust, and executed as soon as known to be right, without doubting the information received. It is not difficult to prove that had this union been effected, had the necessities of the company not been aggravated by the urgent demand of government and proprietors, and had not the trade from this cause been managed with a view to a present supply, an immense sum might already have been gained to the company and the state.

The directors had always been averse to an increase of dividend, until the debts of the company were reduced within those limits, which the legislature had prescribed, and which their former necessities had compelled them to exceed\*. They represented, that it was indifferent to the proprietor, whether he borrowed to divide, or waited till the money was received in the treasury. They gave it as their opinion that the payment of these extra debts should be the first application of the returns from India, as a voluntary continuance in this excess might afford some pretence to those, who envied their present situation. These arguments were addressed to unwilling ears. A very numerous body of proprietors had little concern beyond the present price of stock. To such, an immediate dividend became necessary: and many others were not displeased to see the nominal value of their property so greatly increased. By a vote therefore of the general court an addition of four per cent. was made to the annual dividend.

\* The company are authorized to borrow a certain sum upon bond, and none in any other manner. It may justly be thought that ordinary credit in the course of business is an implied exception. But the company, besides delaying all payments, had been obliged to borrow eight hundred thousand pounds more than the sum allowed, and paid an interest for this money.

This success served only to quicken the appetite of hungry adventurers. Fresh troops pouring in every day, encouraged their associates by a new accession of strength. Heated by opposition, with understandings perverted by passion, they indulged their imaginations in gaudy dreams of wealth, and already began to talk of fifty per cent. dividend being inadequate to our present possessions. Impatient of delay in the negotiation with government, they anticipated the twelve and a half per cent. which the directors had stipulated in their proposal. Some servants of the crown, thinking this resolution too hasty, introduced into the house of commons, a bill for rescinding their vote, and restraining the proprietors during one year. To remove so sure an obstacle to the views of these adventurers, no compliance was thought too great, and the whole party immediately tendered their service to the minister; an offer which was readily accepted.

Mr. Charles Townsend, who, as chancellor of the exchequer, had the chief conduct of the negotiation on the part of government, was fully sensible of the advantages which might result to the nation and to the company from the plan proposed by the directors. Several meetings had been held, in which the whole was explained, and every objection answered so much to the satisfaction of Mr. Townsend, that he repeatedly declared, this was the single plan, among the many proposed, which could render Bengal truly beneficial to Great Britain. The directors were afterwards astonished to find a sudden change of sentiments; and that nothing could satisfy the chancellor of the exchequer but four hundred thousand pounds to be paid yearly, and a total indemnification of one shilling per pound duty on black teas, which amounted nearly to two hundred thousand pounds more. The directors refusing to comply with this unreasonable demand, soon learnt, that others were more tractable: and many personal arguments were used, which might induce them to yield to a necessity that could not be resisted. The directors nevertheless continued firm in their duty.

Before this last event the negotiation was far advanced, and this single difficulty remained, whether, after the dividend of four hundred thousand pounds to the proprietors, one half or two thirds of the remainder should be



be paid into the exchequer. Mr. Townsend neglected the strongest remonstrances of our directors, met their opponents at the St. Alban's tavern, and bartered the bill depending in parliament for a vote of the proprietors. So eager were this faction in pursuit of their object, that they overlooked the means of obtaining it. After they had carried the minister's point by an unconditional vote of a general court, they found themselves deceived. A heavy burthen was entailed on the company, while at the same time the restraining bill passed the house, Mr. Townsend, the chancellor of the exchequer, dividing in the minority.

The directors being informed of the minister's alliance, produced an unanimous resolution of their court, condemning the intended motion as dangerous to the company. Their opposition was vain, and the measure was carried in the court of proprietors by a small majority.

The precedent being once established, no minister, whatever might be his own sentiments, could afterwards venture to accept, what might be deemed by country gentlemen in parliament worse terms. The same agreement was therefore extended to seven years, after a long and well contested opposition from the authors of the former plan. These gentlemen, deserted and betrayed, yet maintained the struggle, unseduced by flattery, unawed by threats. By such conduct they lost their own election, as happened once before, in the year 1763, but without the same success in the public cause: for by the first struggle they obtained an alteration in the final articles of peace, which excluded the French from any military establishment in Bengal, and secured our present dominions in the East to the British nation \*.

The first attack upon the company in parliament was led by a gentleman, who talked of forfeiture of charter, and right of conquest in the crown. In short he seemed to think that no consideration of law, justice, or policy, should deter men armed with power from confiscating so rich a prize. Had he spoken merely his own sentiments, these would have deserved little attention. But closely connected as this gentleman was with

\* The French were by the preliminary articles restored to all their conquests.

the leading person in the cabinet, such a language could not fail to occasion very serious alarms. Frivolous distinctions were also countenanced in parliament to the disgrace of common sense, while the true ground of argument was almost neglected. Few ventured to contend that, independent of that regard which is ever due to the sacred rules of property, the possession of these revenues by the crown might endanger our happy form of internal government, but could never produce any real benefit to the British nation.

Impressed with these terrors, apprehensive of complaints from foreign nations to the British court, which a narrow policy might encourage, every application for powers to govern their servants rejected, the directors saw no safety, but in upholding the Moorish government in Bengal; and sent the most positive orders to the committee to avoid any exercise of dominion. A repetition of these commands was the necessary consequence of their increasing difficulties, while an opposing party called for new men and new measures, vaunting the most magnificent promises; and when a fear of not fulfilling the \* engagements of the company rendered it impracticable to risk a diminution of revenues, which were now become their only remaining fund : for the profits of the China trade had been almost annihilated by the same hasty vote that gave the four hundred thousand pounds to government. From this situation likewise flowed a continual increase of the company's investment †, from three hundred and fifty thousand to eight hundred thousand pounds per annum, which could not be effected without some degree of violence. An annual export of specie from Bengal was likewise necessary, as from the urgent demand of government and proprietors it became impossible to supply the China market with silver from Europe. Thus in five years next succeeding the grant of the Dewany, Bengal was drained in

Supplies of bullion to the other settlements	- - - -	1,284,008
Goods, stores, bills, &c. to ditto	- - - -	628,337
And cargoes on our European ships	- - - -	3,037,266
Total	- - - -	<hr/> 4,949,611

\* Amounting to a million sterling per annum.

† This term signifies the goods purchased for the European markets.

State of Bengal Revenues and Charges, shewing the gross and nett Receipts of the Com-

Revenues.

	Gross Receipts	Charges, collections, repairs, and jaghirs.	Nett receipts	Total revenues	Total in pounds ster.
May April 1765 to 1766.					
Calcutta and Dhees and twenty-four Purgunnahs	Cur. Rupees 10,61,079	Cur. Rupees 4,58,620	Cur. Rupees 6,02,459		
Burdwan	40,78,306	5,10,452	35,67,854		
Midnapore	7,58,258	26,203	7,32,055		
Chittagong	4,36,235	70,077	3,66,158		
Muxadavad districts	118,96,555	35,59,993	83,36,562		
Bahar province	18,42,700	5,01,764	13,40,936	Cur. Rupees 149,46,024	Pounds 1,681,427
1766—1767	200,73,133	51,27,109			
Calcutta and Dhees, &c.	11,60,378	3,58,807	8,01,571		
Burdwan	51,01,961	8,13,790	42,88,171		
Midnapore	10,61,149	55,267	10,05,882		
Chittagong	4,83,562	1,04,732	3,78,830		
Muxadavad	181,54,424	79,36,919	102,17,505		
Bahar	78,68,020	19,28,628	59,39,392		
	338,29,494	111,98,143	226,31,351		
Commission paid			1,63,851	224,67,500	2,527,594
1767—1768					
Calcutta and Dhees, &c.	15,63,953	4,47,558	11,16,395		
Burdwan	50,22,579	8,73,108	41,49,471		
Midnapore	9,50,093	65,703	8,84,390		
Chittagong	5,13,827	91,061	4,22,766		
Muxadavad	183,34,265	86,29,178	97,05,087		
Bahar	56,86,478	7,87,712	48,98,766		
	320,71,195	108,94,320	211,76,875		
Commission paid			2,07,938	209,68,937	2,359,005
1768—1769					
Calcutta and Dhees, &c.	15,11,649	4,81,185	10,30,464		
Burdwan	51,26,635	9,68,248	41,58,387		
Midnapore	10,32,478	57,427	9,75,051		
Chittagong	5,12,224	79,684	4,32,540		
Muxadavad	191,98,583	90,77,445	101,21,138		
Bahar	62,82,503	7,43,988	55,38,515		
	336,64,072	114,07,977	222,56,095		
Commission paid			9,03,290	213,52,805	2,402,190
1769—1770					
Calcutta and Dhees, &c.	14,91,039	4,68,194	10,22,845		
Burdwan	48,60,144	9,12,107	39,48,037		
Midnapore	9,59,321	57,172	9,02,149		
Chittagong	4,72,518	73,683	3,98,835		
Muxadavad	170,26,778	84,69,179	85,57,599		
Bahar	48,96,666	8,41,169	40,55,497		
	297,06,466	108,21,504	188,84,962		
Commission paid			3,12,803	185,72,159	2,089,268
			Cur. Rupees 983,07,425		11,059,584

Lord Clive's second government commenced in May, 1765. He resigned to Mr. Verelst in January,

# GOVERNMENT IN BENGAL.

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pany's Land Revenues and the Civil and Military Charges, from May 1765, to April 1770.

## Charges.

	Civil Charges	Military charges			Buildings and fortifications	Total charges	Total in pounds ster.
		Bengal charges	Expence of the Bengal detachment adding on the Coast.	Total			
	Cur. Rupees	Cur. Rupees	Cur. Rupees	Cur. Rupees	Cur. Rupees	Cur. Rupees	Pounds
- - -	20,99,822	64,32,489	- - -	64,32,489	8,68,237	94,00,548	1,057,562
- - -	27,13,767	79,69,259	- - -	79,69,259	10,40,144	117,23,170	1,318,856
- - -	24,29,413	74,28,168	10,70,052	84,98,220	19,78,081	129,05,714	1,451,892
- - -	26,29,108	75,23,277	12,28,518	87,51,795	24,07,765	137,88,668	1,551,225
- - -	26,71,986	- - -	- - -	- - -	17,48,229	129,23,502	1,453,894
Estimated	- - -	75,90,169	9,13,118	85,03,287	- - -		
Cur. Rupees	125,44,006	369,43,362	32,11,688	401,55,050	80,42,456	607,41,602	6,833,429

1767, who continued in that office to the end of the year 1769.

## C H A P. III.

## The Money and Coinage of BENGAL.

**T**HE too eager desire of parliament, and the proprietors of India stock, to derive immoderate advantage from the acquisitions of the Company, gave birth to many evils, which a wiser policy, and more temperate conduct at home, might easily have prevented. It has already been remarked, that this cause precluded all innovation in the management of the revenues, perpetuating those abuses which, derived from a remote antiquity, had grown to an enormous size under the government of successive subahdars. Ruinous as these were to the industry of the natives, the impatient demand upon Bengal, as an inexhaustible mine of wealth, superadded many other causes of decline to those which already oppressed the laborious inhabitants. Each year brought orders from Europe to enlarge the company's investment, while complaints were at the same time received of the increasing price of manufactures, which a competition between the French, Dutch, and English, necessarily occasioned.

It had been the practice of those merchants, with whom the Company's servants made their contracts, to advance money to the manufacturer, without which he would frequently be unable to procure the materials of his work. But as this mode of obtaining merchandize must sometimes prove defective, through the accidental inability of private men to furnish the necessary supplies to the workman, and many hands must consequently remain unemployed; it was thought expedient by the governor and council, when the above-mentioned orders arrived, to make the like advances to such manufacturers as must otherwise have lain idle. Contracts thus in part executed on one side, afforded a temptation to fraud on the other; and the workman, unless strictly watched, often re-sold his goods for their full price to a stranger.

The gomastahs, or agents of the company, were necessarily therefore entrusted with powers, which they frequently abused to their own emolument; and an authority given to enforce a just performance of engagements, became, notwithstanding the utmost vigilance of the higher servants, a source of new oppression. The influence of these agents proved so destructive of industry, that, before any remedial measures were devised at home, the council determined, at the hazard of not fulfilling the orders of their constituents, to resume the old method of forming the investment, by contracting solely with merchants in different parts of the country.

Within the space of four or five years, the exportation of Bengal manufactures, by the several European companies, had increased to more than 700,000*l.* per annum, beyond the extent of their former investments. That by our company alone amounted, in the year 1771, to 768,500*l.* sterling, wholly purchased with the revenue of the country; and without importing a single ounce of silver. Foreign companies likewise bought their goods with money received from private individuals, who took bills for the amount upon the respective companies in Europe. Thus an influx of bullion, which in former times exceeded a million sterling annually, was, by the great change in our situation, effectually obstructed; while large sums were moreover exported from the circulating specie of Bengal. In the five years next succeeding the grant of the Dewanny, the sums exported in silver by the English Company alone amounted to 1,284,008*l.* sterling. Indeed, the practice of sending silver from Bengal to China commenced as early as the year 1757, and continued without remission to the year 1770†. Formerly the commerce of Bengal, with different countries of the East, had yielded a very considerable balance, paid in bullion; but this trade, which was greatly affected by the troubles in Persia, and in the countries bordering on the Red Sea, was now ruined by the over-grown influence of the European Companies,

\* It must be remembered, that in the year 1765 the French Company made their first investment in Bengal, since the reduction of Chandernagore in the year 1757.

† Much the greatest quantity was sent, subsequent to the grant of the Dewanny in the year 1765.

who engrossed all the manufactures of Bengal. Such was the rigour exercised to complete the quantity required by our directors, that the Nabob has found it difficult to procure the necessary supply for his household, without making application to the English agents.

From the reduction of Chandernagore in 1757, to the commencement of a gold coinage in 1766, Bengal had lost, by deficiency in the usual imports of bullion, and by exportation of silver, more than eight millions sterling\*. It must here be observed, that money always retained its value in Bengal. The commodities purchased with bullion continued to yield an equal profit to the merchant, which demonstrably proves, that the money circulating in specie never exceeded the demands of industry. Under these circumstances, a rapid diminution of the current coin must necessarily impede the internal commerce of the country, and discourage the exertions of industry in all, whose labour could alone render Bengal a valuable possession to the British nation. Early and repeated representations

\* The foregoing estimate commences at a period when the extraordinary success attending our military operations in India produced such riches to the company, and to individuals, as effected an entire revolution in the mercantile system, hitherto observed by all European nations trading in Bengal. France having lost her settlements, lost also her trade in Bengal, from 1757 to 1765; whence the country was deprived of the supply France was accustomed to send in treasure, amounting, *communibus annis*, to 200,000*l*.

As the English Company was liberally furnished with money, either stipulated for indemnification, restitution, &c or borrowed of private individuals on their bonds and bills, they discontinued sending bullion to Bengal, the annual amount of which usually exceeded 250,000*l*.

The Dutch were the greatest importers of silver, not only for purchasing home investments, but also procuring opium, an article of great consequence to the trade of their Eastern settlements, and also upon account of a considerable profit arising to their servants from coining into sicca rupees, in the nabob's mint, ingots sent from Batavia. They likewise discontinued sending bullion for more than four years, and thereby deprived Bengal of more than 300,000*l* per annum.

Even the Danes, finding they could borrow money at a low interest and advantageous exchange, on respondentia bonds and bills, with-held their little assistance, which indeed seldom exceeded 30,000*l*. a year.

Of more consequence to Bengal was the declining trade with Persia and the Red Sea, the balance of which, in specie, had been reduced since the troubles above alluded to, from 18 or 20 lacks, about 180,000*l*. sterling annually, to 3 or 4 lacks. If to these drawbacks, from the usual importation of silver, we add the sums actually exported from Bengal to China and other settlements, supplying the army stationed out of the provinces, king's tribute remitted to Illababad, and the specie carried off by Cossim Ally Cawn, the whole loss, in the course of 12 years, will appear to exceed 13 millions sterling; a sum so immense as will scarce gain credit with those who have not been at the trouble of examining the particulars.

of this growing evil were made by the select committee, who exhorted the directors to consider of some expedient to obviate the alarming consequences of a scarcity of coin †. Unfortunately the directors were so peculiarly situated, that the remonstrances of their servants produced no effect. Influenced, perhaps, by an opinion of the great riches of Bengal, they believed these dangers less immediate than the difficulties they were likely to encounter by an opposition to the public expectations ‡. Large investments from China, and every part of India, became necessary to defray the great demands of the company. Hence the fatal policy of exporting treasure was invariably pursued. To the servants, however, in Bengal, the consequences of this measure were not long a subject of speculation. The select committee saw clearly that difficulties must soon multiply from a scarcity of coin, which might prove equally ruinous to the company's commercial and political interests; and they did not hesitate therefore to attempt what appeared to them the only possible remedy. But before this subject can be understood, it will be necessary to explain the current money of Bengal.

A writer of reputation has here employed his pen, and added the errors of his own speculations to those which misinformation respecting assumed facts has necessarily produced \*. He supposes the *current* rupee, like the pound sterling in England, to be the general money of account in Bengal. A slight attention to the term *current*, evidently derived from the Latin, would have shewn it to be of European extraction; and in fact the expression is wholly unknown to the natives, who make use of the *Saca* rupee, that being the established coin of the country. This error would scarcely have deserved notice, but that many supposed consequences, which, were the fact true, would by no means follow, have been laboriously deduced from this mistake.

However, "the coins of a country may be changed for convenience," this writer would always have "the denominations given to the new

† Letters from the Committee, 30th of January, 1766, 24th March, 1766, 9th December, 1766, and 6th October, 1767. Vid Appendix

‡ Court of Directors to Select Committee, 21st November, 1766, par 10. Vid. Appen.

\* This gentleman has lately written some Observations for the Use of the Court of Directors.



“ coins constantly preserve an exact proportion of value to this standard “ unit,” or current rupee, “ by which accounts are kept.” If by these expressions be meant, that the unit should express a certain quantity of the precious metals, and that the denominations of all coins should conform to that unit, according to their intrinsic value, it is sufficient to say, that the same thing is effected by giving a certain denomination to a certain quantity of silver, as in the Sicca rupee, which is the sole coin legally current in Bengal. The author plainly intends something more, because the change here spoken of is upon a supposed variation in the relative value of gold and silver, in which case the same denomination of value can no longer express the same quantity of the respective metals as it did before. Let us suppose *pound* to express a value equivalent to one gold coin, or ten silver coins of the same weight and fineness, the price of metals being as one to ten. If the relative value of the metals varies, and becomes as one to fifteen, *pound* can no longer express the ten coins in silver, and one in gold of equal weight and fineness, without expressing different values, when applied to gold, or when applied to silver. In this sense of the unit, *as representing a certain quantity of each metal*, it would be impossible “ to preserve an exact “ proportion of value to the standard unit.” Therefore the unit, in the language of our author, must represent an ideal something permanent in its nature, with which the quantities of gold and silver, and the denominations respectively given to each, may be compared as with a known standard. Indeed the term *standard*, conjoined with *unit*, proves that he uses it in this sense. Here a difficulty occurs. As all our ideas are derived from the impression of material substance, he who uses a term not expressing some such impression, discourses without an idea; and until this difficulty be resolved, it is a vain attempt to reason\*.

\* It is plain we are not here speaking of ideas derived from the operations of our own mind, which having no similarity, cannot be compared with substances existing without us, nor of a generic term in language, which, omitting every circumstance of time, place, &c. peculiar to the individual, expresses a species. *Standard* unit must here be the name of an individual existence, or it means nothing.

Farther, it is impossible that the unit, or money of account, should be itself a standard, or have any other signification than to express a certain quantity of *current coin*. The unit, or denomination in account, expresses the extent of a debt. When this debt is paid in any *current coin*, according to the *legal* denomination, the obligation is discharged. The value of the unit (which expresses only a demand of a certain quantity of legal money) must therefore be determined by the value of the coin. Here it will be asked, what is the use of the unit, or money of account? Evidently this. It is merely a number assumed, with relation to the method of account by tens, more easily divisible upon paper than any legal coin. It facilitates to the merchant the calculation of exchanges, being a convenient medium for resolving the legal denomination of money in one country into the money of another. Thus the pound sterling English represents in accounts twenty shillings, or two tens. The Sicca rupee varies in value, in the proportion of 116 to 111. The natives take the 116 as their unit or money of account, being the Sicca rupee, during the first year of circulation. The English, to avoid fractional numbers, take the decimal 100, by relation to which they calculate all debts and credits, and estimate all other coins. This  $\frac{100}{116}$  parts of the Sicca rupee constitutes that money of account, to which the English have given the name of current rupee.

In the farther progress of his reasoning, the author abovementioned contradicts himself. He proves what no man could want to see proved, that debasing the legal coin will lessen the value of the unit, or money of account. But how is this consistent with his former notion of the unit being itself a *standard*? Thus in admeasurement, if the foot be the *standard*, taking away one third part of the yard will make the latter to consist only of two feet, but will not lessen the foot. Whereas, if the yard be the *standard*, and the denomination *foot* expresses a certain proportion of the yard, then the foot will be lessened with the yard, and become shorter by one third part. In the same manner if any alteration in the *coin* affects the *unit*, the *coin* and not the *unit* must be the *standard*.—The error of our author has probably arisen from considering the manner in which some

sovereigns have decreed, that they *will not* pay their debts. Should, for instance, a law pass in this country that ten shillings in future shall be equal to a pound sterling; this law might seem to raise the value of the shilling, and to make the pound the standard of estimation: but no such consequence would follow. The shilling would not purchase a greater quantity of any one commodity. The law would indirectly carry this import, that debtors should discharge their engagements by paying half the sum agreed. By changing the application of a name, it would in effect be said to the public creditor, you advanced twenty shillings, which we then called a *pound*: you shall now receive only ten shillings; but that we may seem to observe the *terms* of our contract, the different sums shall obtain the same *name*.

If the *coin* be the standard respecting the *unit*, by what relation can the value of the coin be itself ascertained? The natural criterion is the price of bullion in the market. But before we can explain how the value of coin will be affected by this *price*, we must enter more deeply into the subject.

All purchase is exchange. Among rude nations, whose wants are few, this exchange is made in the bulky articles of consumption. Others, more refined, adopt a medium of commerce, the precious metals; and as the last improvement, a certain stamp is added to certain quantities of the respective metals, that the value of each piece may be known by inspection. Here a curious question occurs. Can a sovereign, by debasing the current money, raise its actual operative value above the intrinsic worth, depending on the quantity of pure metal contained in the coin? Independent of the effect of habit, which may make a people regard a name when the thing itself is changed, it appears to me that he cannot\*. The sovereign may give to coin a nominal value beyond the price of bullion, but to increase its actual value, would be to fix by law the price of every commodity to be purchased with coin. By varying the denomination of money, the nominal value of bullion, as of every other commodity, might be lessened

\* It will afterwards appear that this ought to be understood with a certain limitation, which cannot here be explained.

fened or increased ; but the actual value of coin or bullion to the possessor must be estimated by their effect in purchasing the necessaries of life. In this view their value will depend on the quantities of the precious metals, and of the merchandize with which they are compared, and the respective demand for each. Now, as the quantity of every species of merchandize will encrease in proportion to the art and industry employed in the cultivation and manufacture, while perhaps the demand continues the same, it will ever be impossible to fix the value of coin or bullion by any permanent standard. In fact, the precious metals being universally received as the medium of commerce, have an equal relation to every thing which is sold ; and from these various relations combined, results their actual value. Here the detail is infinite, and eludes all investigation. Neither is it possible to find a certain standard in any ideal point between the relative value of the two metals gold and silver \*. Compare the two metals to each other at distant periods of time, a variation is observed in their relative value. How can we discover whether the one has risen or the other fallen in value ? This can only be known by the investigation above mentioned ; an investigation so complex, that no understanding can comprehend it, no experience can furnish the requisite materials. Now, as the value of the unit (pound sterling, current rupee, &c.) is determined by its relation to the two metals, it will ever be impossible to make this denomination represent a fixed and permanent value†.

The precious metals have been received as the common medium of commerce, not because they are absolutely free from all fluctuation in value, but because they are less subject to this inconvenience than any *one* mer-

\* This is very imperfectly expressed, but when we grasp at the mere creature of another man's imagination, our expression must be inadequate. The author we allude to seems to conceive it possible, by adding to the quantity of pure metal in the coin, as gold or silver may happen to sink in price, to preserve some intermediate denomination (as the pound sterling between our guinea and shilling) at a certain fixed and permanent value.

† While certain coins are current by law, the value of the unit must be determined by that of the coin. But it is plain the author intends to fix the value of the unit independent of the coin, and also of the price of bullion, from the proposal he makes of adding to the quantity of pure metal contained in the coin, as the price of bullion decreases. The proposal itself is an admission that the value of the unit depends immediately on that of the coin.

chandize, and therefore form the best representative of *all*. They are divisible in any proportions without loss. They easily take, and long retain an impression. The quantity being small, a great value is contained in a narrow compass. Being removed from the ordinary purposes of life, they are little subject to consumption : and being now received as the universal representative of all things sold, the demand can be little governed by caprice. These qualities make them to answer tolerably well the purposes of coin ; and if the man who has money finds his property to fluctuate in value, this is common to him with the possessor of every other species of wealth, and in a less degree.

The author above mentioned observes, “ That if no person can coin but “ one, that one may put a value upon his coining, as any artist may put “ a value upon an art which he alone possesses, unrivalled by any other.” If by this phrase be meant, that he may put an arbitrary value on the coin to any extent, it is not true, unless he could also compel men to become purchasers. The truth seems to be (for on a subject so obscure, it were presumption to affirm any thing) that the precious metals being universally adopted as the medium of commerce, and representative of every thing sold, acquire thence a value. Again, few persons can judge of the quality, or in other words of the pure metal contained in any mass produced to their view ; and even the few sufficiently skilled can arrive at this knowledge only by a long and expensive process. In the ordinary dealings therefore of men, the convenience of knowing by inspection the quality of the metal, superadds a value to the coin beyond the price of bullion. If denominations be given to the coin nearly corresponding with this enhanced value, the people readily receive it upon this estimation, and the coin becomes current by general consent. For no positive law can make coin current at a certain value, without fixing the price of every thing which money can purchase.

Ought a sovereign in good policy to take advantage of this enhanced value to defray the expence of coinage, &c. or ought he to make the denomi-

nomina-

nomination of the coin to correspond exactly with the price of bullion, according to the pure metal contained in the coin? An exact conformity is recommended by the writer above mentioned; nevertheless it appears, that the denomination of the coin ought to exceed in a certain degree the price of bullion, or it will be impossible to preserve the coin in circulation. Suppose the price of silver bullion to rise: no man will exchange his silver coin for gold coin, because by melting it, the bullion sold in the market will produce more gold coin than an exchange according to the legal denominations. Let gold bullion rise in price, the reverse must happen. Every fluctuation in the price of bullion will destroy one species of coin. But if the denomination of money be raised in a moderate degree above the price of bullion, any minute variation will not affect the coin. The general convenience of having a common medium of commerce will uphold its value corresponding with the denomination given, and being long used as the representative of all things sold, it will from habit, acquire a value in some measure independent of bullion.

I have thought it necessary to enlarge more fully upon this subject, because the learned author referred to, has, by fallacious arguments, founded upon erroneous principles, deduced many important consequences respecting the company's revenue, and the measures adopted by their servants..

In Bengal the Sicca rupee has ever been the only legal coin struck and authorised by the prince. Its denomination, like that of money in most countries, exceeds the price of bullion; but this excess is moderated by an annual discount, the denomination sinking gradually in three years in the proportion of one hundred and sixteen to one hundred and eleven. Various other rupees, differing from each other in weight, fineness, and impression, are applied to the purposes of commerce; but before they can be received, it is necessary to estimate the intrinsic value of each piece, and calculate the price of the whole mass by relation to the Sicca rupee. To adjust this variety of exchanges is become a science too intricate for the  
attention.

attention of merchants who are obliged to retain in their service a set of men, called *shroffs*, bred up in the profession of exchanging money, and assaying metals by the touch. In progress of time, these *shroffs* are grown up to so numerous and wealthy a body as to hold in their hands almost the whole specie of the country. This situation of monied property has an effect which must now be explained to the reader.

No-sooner does bullion, receiving a certain impression, become coin; that is, pass, upon inspection, according to its legal denomination, than a profit may be gained by making and circulating similar coin of a less intrinsic value. To repress this evil in Europe, severe laws are enacted against such offenders. The crime with us is accounted high treason. The care of prosecuting it is committed to a particular \* officer; and the punishment, on conviction, never remitted. If, notwithstanding this rigid exertion of authority, base coin is not uncommon in England, what might be expected in Bengal, where, from the nature of the country, the manners of the inhabitants, and the varieties of government prevailing in the several districts, it is impossible to establish a regular police? The sovereign, therefore, thought it necessary to interest the body of the *shroffs* in the preservation of the coin, and had, for that purpose, established an annual discount or *batta* on the *sicca rupee*. At the expiration of three years, when these *sicca rupees*, then called *sunats*, pass at  $\frac{11}{12}$  parts of the original denomination, they are carried to the mint chiefly by the *shroffs*, who receive them back recoined, and consequently raised in value to 116, the first and highest denomination †, deducting the expence and duties of coinage, amounting to something more than 2 per cent.‡ By this operation, the *shroffs* gain nearly  $\frac{1}{12}$  parts upon the value of the coin every third year; an advantage confined wholly to the *sicca rupee*. A

\* Solicitor of the mint.

† The author above mentioned is mistaken in supposing that 5 per cent. is gained by a mere stroke of the hammer and fresh impression. *Sunat rupees* are cut down, melted, and subjected to the whole process and expence of coinage, in the same manner with bullion, a difference being made in the duties only.—Vide Consultations, January 24th, 1763.

‡ 2  $\frac{1}{2}$  per cent. nearly.

triennial recoinage is the consequence of this regulation; and such has been its effect, that while all other coins are debased, the sicca rupee seldom loses any thing of its original purity: for the shroffs, who assay metals by the touch, gain the  $\frac{1}{11}$  parts upon *the pure silver*.

Such seems to have been the origin of this custom. Some writers have adopted strange notions respecting the established batta on the sicca rupee, considering it as an abuse introduced wholly “for the benefit of the shroffs and officers of the mint\* and revenue;” as if it were probable, that successive princes, for more than a century, should have uniformly continued the same regulation without a motive. Whatever has been its origin, the effect is certain.

The debasement of other rupees has given rise to a mischief which is now become a great obstruction to commerce, and tends much to the discouragement of industry. As the intrinsic value of such rupees is found perpetually to vary, the shroffs place thereon an *arbitrary* batta, or, in other words, receive them at a discount such as they can settle with the possessor. The profit thus made, being repeated at every payment, is a heavy charge on the circulating silver; and, perhaps, no effectual remedy will be found, unless the company should coin all those rupees into siccas, when received in payment of the revenues.†

Silver being the only measure of commerce in Bengal, the common practice of all European nations naturally suggested a remedy for the growing scarcity of money. Although gold had hitherto been a mere

\* Mr Bolts, p. 157, says, this custom was introduced by the elder Juggut Seat, in the time of the nabob Jaffier Khawn, but, certain it is the custom prevailed long before the family of the Seats obtained any consequence

† The writer frequently mentioned has to many other mistakes added one respecting the profits of recoinage, from which, he supposes, the company derives no advantage. In fact, besides 1 per cent on bullion,  $\frac{1}{2}$  per cent. on recoinage, and mint charges, which they must otherwise defray at their own expence, the conversion of *Sunat* rupees, which are paid in at their treasury, into *Siccas*, produces a large sum every year.



article of merchandize, yet it appeared highly probable, that large quantities existed in the country, which, under proper regulations, might be applied to the active demands of industry. Lord Clive, therefore, and the select committee resolved, in the year 1766, to introduce a gold currency; and as the first step in prosecuting this measure, was to discover the relative value of the two metals, gold and silver, the ministers and head shroffs were consulted. According to the best informations which could be obtained, the price of gold seemed to correspond nearly with the proportions established by the mint indenture in England. If this estimation was erroneous, it had already been adopted in the gold currency of Madras. The pagoda coined in the company's mint passes, in their accounts, at eight shillings\*. This pagoda, weighing 2 dwt. 6 grains, of the fineness of 20 carats, contains 45 grains of pure gold, the English guinea 118 grains. If 118 grs. : 21 sh. : : 45 grs. = 8 sh. 7 parts of a shilling.

At Madras silver is a mere merchandize, fluctuating in price to the extent of more than twenty per cent. It is impossible, therefore, to fix precisely the relative value of the two metals in that market. From some miscellanies quoted by a writer we have frequently mentioned, the proportion of silver to gold appears to have been as 15,49 to 1, in August, 1753. Although when a considerable quantity of gold mohurs were from time to time imported by the company from Bengal, and silver was at the same time purchased for the supply of China, the price of silver rose, in May, 1771, as 13,78 to 1, and afterwards, in July following, to 13,09 to 1; yet, probably, the ordinary proportion of the metals at Madras corresponded with that established by law in England, since the pagoda has been estimated at eight shillings, by the company, during a long course of years.

\* In my experience, the pagoda has always been found equal to 2 dwt. 6 gra. of 20 carats fineness, which makes 45 grains pure gold. In Miscellanies lately collected, it is estimated in one place at 42  $\frac{1}{2}$  grains, and in another at 45  $\frac{1}{2}$ , pure gold, making a difference of about 6  $\frac{1}{2}$  per cent. Should the former of these accounts be allowed, it will prove the pagoda is valued at more than 4 per cent. higher than the proportion assumed in the mint indenture of England.

Gold imported from Madras into Bengal always yielded a profit. To assign the cause would be difficult, since it neither passed in circulation, nor was exchanged for the productions of any country within our knowledge. The fact, nevertheless, is certain, and rests upon the most undoubted testimony \*. To attempt, therefore, a gold coinage on a lower estimation than that of Madras appeared improper. Many reasons induced the committee to give it a higher valuation. To whatever purposes gold had hitherto been applied in Bengal, it was probable, that a new demand for this metal as current money would enhance the price. It was besides necessary to obtain the support of the *throffs* in this measure, by making it their interest to bring gold to the mint, as the strong prejudices of the natives against innovation would have made the opposition of this body of men extremely troublesome. To these arguments, arising from the state of the country, may be added one drawn from the situation of the company. Had gold and silver been established at the same relative value as in the European markets, the exportation of gold would have been easier than that of silver, which, on account of its bulk, does not admit the same clandestine conveyance; and the gold coin might have been exported to Europe, when other means of remitting the large sums acquired by individuals began to fail. After maturely weighing all these reasons, the council resolved, that gold mohurs should be struck, at a valuation of eight per cent. † above their intrinsic purity, compared with the sicca rupees, according to the proportion of the two metals established by the mint indenture in England ‡.

Upon

\* Two reasons may, perhaps, be assigned for the high price which gold always maintained in Bengal. Before the Subahdars became independent of the Mogul Empire, great part of the annual tribute might probably be remitted in gold to Dehly. Since that period, the frequent invasions and intestine wars, rendering property insecure, gave an increased value to gold, which is more easily transported from place to place, or more easily concealed than silver. When the Maharattas last entered Bengal, gold bore so high a value, that some merchants sent it from Madras to Bengal, at a profit of 15 per cent.

† Two per cent. are the expence and duties of coinage. The remaining six per cent. was designed as an encouragement to bring gold to the mint. This allowance may appear large to gentlemen in England; but it must be observed, that the company allow their servants to lend money at 12 per cent. as a reasonable interest. Merchants, zemindars, and the natives in general, can seldom borrow at so easy a rate.

‡ That such was the principle on which the regulation was established appears evidently from the following paragraph in the mint-master's letter to the board. "The difficulty lay in fixing upon

Upon this principle the following regulations were formed, viz.

“ That the new gold mohur should weigh 16 annas, or 7 dwts. 11 grs. 65, that is about 179½ grains, of the fineness of 20 carats.

“ That this gold mohur should pass current, and be received in all payments, whether of a public or private nature, in exchange for 14 Sicca rupees, each rupee weighing 7 dwts. 11 grs. 65 of the fineness of 11 oz. 15 dwts. or 13 dwts. better than English standard, &c.”

The following calculations, which are rendered as easy and familiar as possible, will demonstrate, that the plan is exactly adjusted to the before mentioned relative values, and calculated on the quantities of pure metal contained in the respective gold and silver coins, each being compared with the standard and coinage of England\*.

A gui-

“ upon such a rate of exchange as should answer the intention of bringing gold to the treasury without reducing silver below that natural value which it bears in most kingdoms in Europe, since this circumstance might be productive of inconvenience at home. Gold being merely a merchandize in Bengal, and the quantity of it already contained in the country very uncertain, it was thought proper to make the mean rate of exchange in Europe the principle upon which the following regulations for a gold currency are calculated. Vide Appendix.”  
M. Maister's letter, 3d June, 1766—Yet merely upon the authority of an inaccurate expression in Article 4. of this letter, is the plan supposed to have been calculated on the proportion of 14, instead of 15½ to 1, which difference constitutes the extraordinary advanced price, stated by the writer of the principles of money, not less than 9½ per cent.

\* Abstract of the mint indenture in England.

“ By this indenture the mint master contracts to make five sorts of gold monies, viz. quarter-guineas, half-guineas, guineas, two guineas, and five guinea pieces, to be in fineness 22 carats pure gold, with two carats alloy. and after the rate of 44½ guineas to the Troy pound Weight.

“ This will be, in every such pound weight, either  
“ 178 quarter-guineas,  
“ 89 half guineas,  
“ 44½ guineas,  
“ 22 two guineas, and one half-guinea,  
“ 9 five guineas, wanting the weight of half a guinea.

“ Now as money cannot be made in all things exactly conformable to the standard, but may differ from it in weight, in fineness, or in both, so it is agreed that one sixth of a carat, which is equal to 40 Troy grains, be allowed as *remedy* for the master on every pound weight of gold monies, with an additional remedy of half a Troy Grain in every four quarter-guineas, because these cannot be made so exact as larger pieces.

“ The mint master also contracts to make eight sorts of silver monies, viz.  
“ 12 crowns and two shillings,

A guinea, twenty-two carats fine, containing by statute one hundred and eighteen grains of pure gold, is rated by act of parliament and mint indenture at twenty-one shillings. A gold mohur twenty carats fine, and weighing 7 dwts. 11 grs. 65 contains one hundred and fifty grains of pure gold. †

$$\begin{array}{rcl}
 \text{Q.} & \begin{array}{ccc} \text{grs.} & \text{Sh.} & \text{grs.} \\ \text{If } 118 : 21 :: 150 & - & - \end{array} & \begin{array}{r} 26 \quad 8\frac{1}{2} \\ \text{And 8 per Cent. increased price,} \quad 2 \quad 1\frac{1}{2} \\ \hline \text{Sh. } 28 \quad 9\frac{1}{2} \end{array}
 \end{array}$$

Such will be the produce of the gold mohur, according to the proportions before established by relation to the mint indenture. Let us now see what will be the produce, by the same rule, of the silver allowed in exchange.

The regulation by statute of silver in England is, that a pound, or 12 ounces Troy, of English standard, shall contain 5328 grains of pure silver, and that this pound shall produce 62 shillings of standard money.

The pound Troy of Sicca rupee silver 13 dwts. better than English standard, contains 5640 grains of pure silver.

$$\begin{array}{rcl}
 \text{Q.} & \begin{array}{ccc} \text{grs.} & \text{Sh.} & \text{grs.} \\ \text{If } 5328 : 62 :: 5640 & 65 & - \end{array}
 \end{array}$$

“ 24 half-crowns and two shillings,

“ 62 shillings.

“ 124 half shillings, or six pences, &c. &c. to be in fineness 11 oz. 2 dwts. of fine silver, and

“ 18 dwts. of alloy, and after the rate of three pounds and two shillings (62 shillings) to the

“ Troy pound weight

“ The remedy allowed for the master in silver coin is 2 dwts. or 48 grains Troy, on every pound weight, for the same reasons as before mentioned. The remedy both on gold and silver coins is to include the excess or defect both of weight and fineness, and is only to be allowed where such fault happens from casualty.”—The master is bound to make all gold monies, agreeable in fineness to the standard trial-piece of the 4th of James the Second, and all silver monies by the standard trial-piece of the 1st of George the Second, part of which pieces are lodged in his majesty's exchequer.

† We have purposely omitted fractional numbers, which would occasion perplexity, without producing any material difference in the calculation.

A pound Troy is equal to 32 Sicca rupees in weight † and of Sicca rupee silver, produces 65 sh. 7½ d. according to the last operation.

Sicca Rup. oz. sh. d. Sicca Rup.

Q. If  $32 = 12 : 65 \text{ } 7\frac{1}{2} :: 14$  being the value in exchange of a gold mohur?

Ans. 28 sh. 5½ d.

The comparative values of a gold mohur, and 14 Sicca rupees, will therefore stand in the following manner :

		Sh.	d.
Produce of the gold mohur,	-	26	8½
Eight per Cent. added,	-	2	1½
		<hr/>	
		Sh. 28	9½
Produce of 14 Sicca rupees,	-	28	5½
		<hr/>	
		4½	

Whence it appears that a ballance of four-pence and one half-penny remains in favour of the gold mohur, which is to that amount better than was proposed in the regulations published by authority.

These gold mohurs having continued in circulation 18 months, without murmur or complaint, to what causes must we ascribe the subsequent miscarriage? Wherever the two metals are admitted into currency, the denomination of the coins must be adapted to a supposed proportion between gold and silver. If their relative value should be changed by a decrease in the quantity of either, a new proportion must be assumed. If, moreover, a competition among many purchasers should arise, this competition, independent of the quantities of either metal in the country,

† 12 oz. Troy weigh exactly 32 S. wt. 0 an. 10 pi. 29 decim. parts.

will enhance the price of one \*. Both causes here conspired to produce the same effect. Notwithstanding the strongest remonstrances of lord Clive and the select committee, the necessities of the company obliged the directors to order more than thirty lacks annually in silver to China, and their other settlements. If, to this drain, be added an annual tribute of 26 lacks to the king, the expences of a brigade stationed at Illahabad, and silver exported by the French to Pondicherry, the loss of silver coin during two years must be estimated at a very large sum.

Neither had gold been yet tried in procuring investments. It was deemed by private merchants, and even by the company, too delicate an experiment, to make advances for the provision of the year in a coin to which the manufacturer had not been accustomed. For the same reason silver was also preferred by the foreign companies, in exchange for their bills of remittance. Hence a competition ensued, individuals purchasing rupees at an enhanced price, for the purposes of bills and investments. Thus competition raising the price of silver, will explain many facts which have been invidiously mentioned by others. In Calcutta, gold mohurs were exchanged for rupees, at a loss of 38 per cent. In China, where all payments being made in silver, gold bears but a low price; the loss upon gold mohurs, nevertheless, did not exceed 10 per cent. or 2 per cent. more than the additional value †, avowed by the regulations published when the coin was first issued. At Madras, where the importation of an inconsiderable

\* Experience shews the effect which a scarcity of silver coin produces upon gold, even in England, where the necessities of the trader frequently oblige him to exchange a guinea for less than its legal value. Yet here gold has long been equally with silver the price and measure of all merchandize and measures of life; whereas, in Bengal, silver alone had heretofore been the sole standard price and measure of all things sold, and gold was received in commerce only, at a value proportioned to the silver rupees it would produce in exchange. When gold afterwards became money, and the mohur had a fixed relation to the Sicca rupee *by law*, such was the effect of habit, that the people continued still to regard the gold mohur rather as bullion than coin, comparing it with merchandize, through the medium of the silver rupee. The consequence was, that when the price of silver increased, from the growing scarcity of this metal, a more sensible check was given to the currency of the gold coin, than in countries where the people had been habituated to consider gold and silver equally as standard price or current coin. See App. Diary of the rise and fall of silver in the market, p 245, and seq.

§ Mr. Bolls, p 205.

† Above the proportions of the mint indenture.

quantity

quantity of gold affects the price, and the council were likewise purchasing silver for the supply of China, the gold mohurs were either exchanged for silver, or coined into pagodas, at a loss of 13 per cent. including also the charges and loss upon a recoinage into pagodas. Mr. Bolts was too good a merchant not to perceive the increasing price of silver to be the real cause of this loss, and therefore cautiously uses a phrase, which is literally true. His words are these; "that the loss at Madras, in such remittances of gold mohurs from Bengal, had been 13 per cent. *as silver rupees would to that degree have better answered.*"

The reader has seen the reasons which induced the council to give a higher valuation to gold than in the mint indenture of England; and eight per cent. above this price was the proportion assumed. A continued exportation of silver afterwards varied this proportion, while a competition in the purchase of the last mentioned metal farther enhanced the relative value of silver. These causes, aided by the intrigues of the shroffs, so effectually obstructed the currency of gold mohurs in Calcutta, that they were there exchanged for rupees, at a price which had no relation to their intrinsic worth. Juggat Sekt, the great banker and principal shroff, when first consulted, strongly urged the necessity of allowing a batta or annual discount on the gold mohurs, in the same manner as had ever been usual upon the Sicca rupee; and perhaps a neglect of this advice was the greatest error in the plan of 1766. Yet the directors, having frequently condemned the batta in their letters to Bengal, the council could not adopt it in a new coinage, even to ensure success.

When the gold mohur was first issued, the faith of the company became thereby engaged to the possessor of the coin, for whatever value might be added in denomination beyond the intrinsic worth. The council therefore justly thought themselves obliged to receive the coin at the original denomination, and these mohurs were accordingly recalled.

\* In compliance with the general desire of the inhabitants of Calcutta, the council and directors afterwards determined to establish another gold

\* See petitions in Appendix.

coinage, avoiding the supposed error of the former plan, and making just allowance for a real variation in the proportion of the two metals, arising from a continued exportation of silver. In March, 1769, it was resolved, that a gold mohur, weighing 7 dwts. 22 grs. 773 decimal parts, of the fineness of 23 cts. 3½ grs. or 190½ grains pure gold, should be issued at the denomination of 16 Sicca rupees. This estimation of gold, 11½ per cent. lower than that of 1766, reduced its value more than three per cent. below the proportion of the mint indenture in England, and likewise of the pagoda coined in the company's mint at Madras. Yet has the learned writer before mentioned endeavoured to shew, that gold was here likewise too highly estimated, by 5½ per cent. That the gold was not too highly estimated in the second coinage of 1769 is farther evinced, by the latest advices from Bengal, which say, that this mohur has been readily received in exchange for silver rupees, according to the established denomination.

When the growing scarcity of silver was explained in a former part of this chapter, I had no intention even to insinuate that the price of Bengal manufactures, brought thence to Europe, should be paid in bullion by the India company. This can never be done without sacrificing our own interests, and rendering the revenues of a distant country useless to Great Britain. Bengal, like other subjected provinces, must yield its tribute; but experience will inculcate the necessity of moderating our demands, that the country may be enabled long to continue this payment. If the court of Directors will, for the future, be contented with an annual investment, not exceeding five or six hundred thousand pounds, and discontinue entirely the exportation of silver from Bengal, the foreign trade of that country may again revive. Increasing industry will in time restore its wealth; and should some expedient be required to palliate the present defect of current money, a gold coinage will afford relief. Without dreaming of banks and paper credit, such a measure may be effected; but it will ever be found impossible to preserve a coin in currency, unless we assume the ancient practice of the natives for



our guide, and assimilate our new regulations to those of the Sicca rupee\*.

\* The following is the number of gold mohurs, coined agreeable to the new regulations, made August 1st, 1766, to , 1768, when they were recalled by an order of the council.

	Mohurs.
In Calcutta, - - - - -	177871
Moorsheedabad, - - - - -	70000
Patna, - - - - -	15274
	<hr/>
Total,	263045
Of the above sent to Madras, - - - - -	134417
	<hr/>
Returned to the treasury of Calcutta, from circulation,	178628
	<hr/>
Ballance not brought in, - - - - -	8467

## C H A P. IV.

The Society established in the Year 1765, for conducting the Trade in Salt, Beetle-nut, and Tobacco.

THE internal commerce of Bengal is now become so important to the interests of Great Britain, that I could wish to treat of this subject at large; but the misrepresentations which have been industriously propagated compel me to make the society established in 1765, for conducting the trade in salt, beetle-nut, and tobacco, the principal object of my present investigation.

Phirmaunds from the emperor had long been possessed by the English East-India company, exempting from the payment of duties "what-ever goods and merchandize their agents may bring or carry, by land or by water, in the ports, quarters, and borders of the provinces." This privilege, while the English were wholly subordinate to the country government in Bengal, was confined to exports and imports, and under this limitation, enjoyed rather from connivance than of right, by the private traders in the company's service.

When Meer Jaffier was raised to the musnud by our arms, the trade of the servants encreased with the authority of the company, and they now engaged, at first sparingly, in the inland traffic of salt. Some even claimed an exemption from duties; but as these pretensions were discountenanced by colonel Clive during his government, such claims were at that time relinquished.

By the treaty with Meer Cossim, the company obtained a cession of lands, yielding about 600,000*l.* per annum. Their troops had continually increased, until the power of the company gave effect to private usurpations.

The inland trade in salt, beetle-nut, and tobacco was universally carried on by gentlemen in the service, without payment of duties; and knowing the Nabob to be preparing the means of resistance, they treated every complaint of his officers as a fresh indication of enmity to the English. Thus the fears of public policy, conspiring with private interest, soon produced a rupture, which, after risking our existence upon the fate of a battle, ended in the overthrow of Cossim and final establishment of the English power.

Before this last event took place, intelligence was received at home at the confusion in which Bengal was involved, of the defeat at Patna of a detachment amounting nearly to one third of our army, and of the cruel massacre of many English gentlemen. The reputation acquired by lord Clive in India directed all eyes to him; and he was called, by the concurrent voice of the nation and proprietors, to undertake once more the labour of restoring order to our affairs.

The cause of these events naturally became the subject of deliberation. It appeared, that<sup>b</sup> an exemption from duties had thrown the whole trade of the country into the hands of the English. This, however, was the least evil. The country government was destroyed by the violence of their agents; and individual tyranny succeeded to national arrangement. In the general confusion, all, who were disposed to plunder, assumed the authority of our name, usurped the seats of justice, and carried on what they called a trade, by violence, and oppression. The Nabob's officers either fled before them, or, joining the invader, divided the spoil. The barrier of the country government once broken down, it became impossible to stop the inundation. Mahomedan, Portuguese, and Armenian alike, nay, every illiterate mariner who could escape from a ship, erected our flag, and acted as lord of the district around him.<sup>c</sup>

\* Frequent orders of the council and of the select committee, for recalling free merchants and others dispersed throughout the country are to be found on the company's records, during a course of several years, under different governors. One of the first resolutions of the select committee, upon lord Clive's arrival, (the second day of their sitting) is founded on disobedience to former orders. See Committee Proceedings, May 11, 1765.

Upon lord Clive's acceptance of the presidency and command of the forces in Bengal, he wrote the letter mentioned by Mr. Bolts to the court of directors, recommending an entire abolition of the inland trade in salt, beetle-nut, and tobacco, which, in his opinion, "concurred," with other causes mentioned in the letter, "to hasten and bring on the late troubles." He adds, that "as a means to alleviate, in some measure, the dissatisfaction which *such restrictions* on the commercial advantages of your servants may occasion in them, it is my full intention not to engage in any trade myself."

The intended restrictions did not take effect; for many active proprietors, when the affair was considered in a general court, strongly urged the continuance of this indulgence, under some limitations, to the servants, who would otherwise be deprived of a decent subsistence abroad; much less could they ever hope to revisit their native country with such independent fortunes as reason and justice equally authorised them to expect. These sentiments being generally embraced, it was proposed, that the directors should give instructions to the president and council to settle such regulations, "*as shall prove most advantageous to the company*," which regulations were to be transmitted home for the *court of directors to determine* on so important a subject.

This motion, made on the † 18th of May, did not coincide with the sense of the majority, who very justly thought that the state of Bengal rendered it highly improper to interpose a delay of near two years, but that some regulations ought to be immediately adopted. The above-mentioned motion was therefore withdrawn, and it was RESOLVED, "That it be recommended to the court of directors to reconsider the † orders sent to

\* The motion was, verbatim, as follows: "That it be recommended to the court of directors to give instructions to the presidency of Bengal to settle such regulations in carrying on the trade in salt, beetle nut, and tobacco, *as shall prove most advantageous to this company*, without prejudicing the just rights of the nabob of the provinces, and that such regulations be transmitted home to the court of directors by the first opportunity, with every information which can enable them to determine on so important a subject

† Lord Clive's letter is dated the 27th of April preceding

‡ The orders here spoken of are contained in the letter to Bengal, dated 8th of February preceding, a disobedience to which orders by governor Spencer and his council, the directors afterwards reprehend in their letter, dated 24th of December, 1765. Vide p. 109.

“ Bengal, relative to the trade of the COMPANY’S SERVANTS in salt, beetle-nut, and tobacco ; and that they do give such directions for *regulating the same*, agreeably to the interest of the company and the subah, as to them may appear most prudent, either by *settling here at home the RESTRICTIONS under which this trade ought to be carried on*, or by referring it to the governor and council of Fort William to *regulate this important point* in such a manner as may prevent all future disputes between the subah and the company.”

In pursuance of this recommendation from their constituents, the directors finding it impossible to settle an equitable plan, “ destitute of the informations and lights necessary in so important an affair,” expressly order \* the governor and council, after “ consulting the Nabob, to form a proper and equitable plan for carrying on the inland trade†.”

Notwithstanding this express and positive injunction, it has been asserted, that the salt society was formed in opposition to orders received from home. The mistake seems to have arisen from too hastily a perusal of the general letter to Bengal, dated the 26th of April, 1765. This letter, written in answer to one from governor Vansittart and the council, dated the 27th of September, 1764, condemns the treaty stipulating a trade in salt, beetle-nut, and tobacco, on payment of a small ‡ duty ; and refers throughout to the consultations previous to that period, when lord Clive was expected to arrive in India. The separate letter to governor Spencer, dated the 24th of December, 1765, is yet more § explicit, reciting part of a minute by

\* This letter is dated the 1st of June, 1764, and was sent by the same ship which carried lord Clive and Mr. Sumner to India. A duplicate arrived before them in Bengal by another ship.

† This letter requires that these regulations should be transmitted home to the directors. but to imagine such requisition was intended to suspend the execution of these regulations was impossible with those in whose memory the above-mentioned debates were fresh, and who must consider this letter of the 1st of June, as written in pursuance of the vote of a court of proprietors, in which vote the directors are ordered to adopt one part of this alternative, “ either to give such directions for regulating the same, as to them may seem meet, or to refer it to the governor and council of Fort William to regulate this important point ” That the letter of the 1st of June was not at that time understood even by the directors, in the sense which some people ascribed now to give it, appears from their letter to governor Spencer, dated December 24th, 1765, hereafter mentioned.

‡ 1 two and a half per cent.

§ Written in answer to their letter of the 26th of November, 1764.

Mr. Johnstone, which the directors severely condemn, and then add, " We shall say nothing farther at present on the inland trade, *till that important subject shall be taken up by lord Clive and the gentlemen of the select committee*, only to observe that the regulation proposed in consultations of the 17th of October, 1764, is a manifest disobedience of our orders of the 8th of February\*, *then under deliberation*, which positively forbid all trade in salt, beetle-nut, and tobacco."

Mr. Bolts adopts this misrepresentation of the orders. Immediately after he has laboured to irritate the reader against the salt-society established by the committee, he says, " The court of East India directors *repeatedly*, and in the strongest terms, forbid *this monopoly* in salt, beetle-nut, and tobacco; particularly in their general letter per lord Camden, dated the 19th of February, 1766, wherein they positively directed their governor and council to make a *formal renunciation*, by some solemn act to be entered on their records, of all right to trade in those articles; directing their president to transmit such renunciation in form to the Nabob in the Persian language, with adding these express words: ' Whatever government may be established, or whatever unforeseen occurrences may arise, it is our resolution to prohibit, and we do absolutely forbid *this trade* in salt, beetle-nut, and tobacco.'

When the letter of the 19th of February, 1766, was written, the court of directors had not † received the plan which the select committee had framed, in pursuance of the resolution taken by the court of proprietors. This letter therefore must be regarded as a continuation of the before-mentioned prohibition to trade, *till that important affair had been taken up by lord Clive and the select committee*. The reader will recollect that the trade to which these orders refer had been claimed by the servants, *duty free*, under the phirmaun from the emperor; had been made an article ‡

\* This date is previous to the resolution of the general court. The regulation here referred to was merely confirming the trade to certain markets.

† Until the 10th of April, 1766.

‡ Paying 2 ½ per cent.

in the treaty upon Meer Jassier's restoration; which article, although condemned by the directors, was transcribed into the treaty with his son Nudjum al Dowlah, by governor Spencer and his council. To *this disobedience of orders* the animadversions of the court apply, and throughout the letter of the 19th of February they every where speak of the claim under the phirmaun and this treaty. They then direct the *renunciation* mentioned by Mr. Bolts "of all right, *under the said treaty*, or otherwise, "to trade in salt, beetle-nut, and tobacco," "according to the spirit of "the phirmaun." "And that you transmit THIS RENUNCIATION *of that part of the treaty* † in form to the Nabob."

Another extract is given by Mr. Bolts, to prove that the orders were uniform to this point. He has candidly suppressed the date, wishing probably the reader to imagine this likewise had been received before the society was established for the second year. This is an extract from a letter, in which the court of directors declare they cannot consent to carrying on that trade in any manner whatsoever. This letter was received in December 1766, and in obedience to this order the plan was abolished. But the directors here add, that they do not condemn the conduct of the select committee.

Admitting for a moment that the directors had authority to annul the orders of a general court, without attempting the execution, it will be impossible to believe such could be their intention, when they had given particular instructions for fulfilling the expectation of the proprietors; when the letter of the 19th of February was written to a different governor and council, being throughout a comment on *their conduct*; and when prior letters, containing the like general disapprobation of the trade, expressly excepted the plan to be framed by lord Clive and the select committee.

\* This plainly refers to the claim under phirmaun, which is recognized by this article of the treaty.

† The words, "*of that part of the treaty*," are omitted by Mr. Bolts, in order to apply RENUNCIATION to the plan of lord Clive and the select committee, not then known in England.

A wonderful discovery is now made of a deed, an unheard-of engagement among the company's servants, to support each other in a predetermined disobedience of orders. If those who so readily adopt this opinion, had consulted the company's records for information, and not to serve a *present* purpose, they would probably have read the whole relative to the subject, and might in such case have found every particular entered at large among the proceedings of the council, 16th of September\*, 1765, and transmitted to the directors in the general letter.

The plan being formed, and shares of the society distributed among the company's servants, according to their respective rank, the conduct of this trade was entrusted to a committee, chosen for that purpose, who proceeded to make many contracts for salt. But it was soon found impossible, without the concurrence of the council, "to † establish the credit of the " society, so as to raise the necessary fund for carrying on the trade." The committee of trade therefore request a deed in writing to secure to them this trade during the year, ending 31st of August, 1766.

Had the directors thought fit to send retrospective orders for the abolition of this society, erected with the previous assent of themselves and their constituents, such orders could not arrive in Bengal ‡ before the year was expired. The council therefore unanimously resolved to indemnify the committee of trade, in an engagement undertaken upon the faith of the company; and as the Admiral Stevens was not yet dispatched, "It is agreed " to apply to the company for permission to renew the same for the future concerns, *if the plan meets with their approbation.*" By this deed the committee of trade became *personally* responsible for the duties to the company, the council on the other hand engaging to continue the society during one year. So little idea of guilt was entertained, that none of the gentlemen concerned have ever kept a copy; but the original deed

\* Appendix p. 249 No. 143.

† Letter of the committee of trade, entered in Consultations, 16th September, 1765.

‡ The Admiral Stevens, which carried the first intelligence, was dispatched on the 12th of October, 1765, and the engagement expired in August, 1766.



was drawn by Mr. Whittal \*, whom Mr. Bolts supposes to have been cruelly oppressed, by the same men who entrusted him with this very dangerous conspiracy. Mr. Bolts knew the transaction would not bear the construction he wished it to receive. He therefore makes another † deed, the date of which is suppressed, to *precede* this in his Appendix, because it would otherwise have proved, that a disobedience of orders had never been in contemplation of the parties. This deed *relating to a period*, within which orders were expected to arrive from home, plainly supposes such orders would be obeyed, for it contains an express stipulation in a *particular private contract* upon this event, “that any order or direction shall be  
“ issued by the honourable court of directors of the East India company  
“ in England, *by which the said joint trade in salt, beetle-nut, and tobacco,*  
“ *shall be stopped.*” It was not, therefore, the *private* intention of these gentlemen to disobey, much less would they have set forth such intention upon the *public* records of the company, if they had ever entertained the thought.

Having thus removed the imputation of disobedience, we may now proceed to examine the plan proposed for carrying on the trade in a manner agreeable to instructions received from home. It appears, from a review of the evils which gave rise to the first deliberations on this subject, as likewise from the whole course of correspondence with the governor and council, that the principal object of the company was to repress the practices of private traders, so ruinous to the peace of the country, the revenues and government of the nabob. At the same time, the trade, in the language of the resolution of a general court, “*ought to be carried on*” for the benefit of the “*company's servants,*” under “such regulations as may prevent all future disputes between the subah and the company ‡.”

\* Mr. Whittal, an attorney of the mayor's court, was directed to draw out the deed, and the letter of the committee of trade, and resolution thereupon, which appear in Consultations, were transmitted to him as instructions for forming the same. What this friend of Mr. Bolts may have added, before or since, it is impossible for those to say who have no copy of the deed.

† This deed was executed more than twelve months after the other.

‡ The resolution of the general court is entered at length in the first part of this chapter.

It occurred, that a government beaten down by the violence of individuals, in the prosecution of a claim afterwards enforced by our arms, and established by treaty, a government, which had long been trampled upon by all who assumed the English name, could not again rear its head, while the same persons were permitted to traverse the country without controul. The council, or the committee, had no legal authority to interfere, much less to punish oppressors; and among a people formed by nature, and by habit, to bear the yoke of conquerors, where the dread of our power increased with our victories, the sword of justice must fall from the feeble hands of a magistrate, yet unassured of support. Necessity, not to say humanity, required an immediate recall of all the English agents or gomastahs, dispersed throughout the provinces; that the nabob's officers, in discharging their duty, might no longer fear a contest with power. This measure was enforced by the most positive repeated orders of the directors, who had very justly determined not to permit a continuance of the trade on its former footing. (The new covenants had excluded the receipt of presents; while the increased investment of the company, (after the dewanny was obtained) absorbed the trade of individuals, and removed all prospect of advantage in a foreign commerce. No other fund remained for the reward of services; and without proposing a reasonable prospect of independent fortunes, it was ridiculous to hope that common virtue could withstand the allurements of daily temptation, or that men armed with power would abstain from the spoils of a prostrate nation.

These considerations induced the committee to frame a plan for carrying on the inland trade in these articles, by which it was proposed, to recall all private agents, to form one society, who should dispose of them salt, &c. at certain markets, distributing the shares in this society among the company's servants, according to their respective rank.

Mr. Sumner, who was indefatigable in adjusting every part of the plan, actually searched about twenty years back; and the price was in consequence of this research fixed at the several markets, to which the society transported salt, full fifteen per cent. lower than the price at which it

usually sold. From these markets it was carried by the natives; so that the consumer must purchase his salt for less than had been ordinarily given. A duty, amounting to one hundred and twenty thousand pounds, was established for the company, which was increased the following year to one hundred and sixty thousand pounds.

Salt is made at a certain season of the year; and persons who advance their money to the manufacturer, contracted to furnish the society. As the committee of trade, by the famous deed, became responsible for the duties, it may appear reasonable to all but Mr. Bolts, that they should possess the means of performing their obligation. For this purpose it was necessary that the trade should continue during one whole year; and that permission should be given to dispose of their stock in hand, in case the directors abolished the society at the expiration of that period.

A difficulty will here occur to the mind of the reader. How could the salt be sold at the usual price, when the company and proprietors received each a profit? A duty had been always collected upon this article at several chokeys, or custom-houses. The extortions and vexatious delays of the Nabob's officers at each pass, were so burthensome to the trade, that although the Subahdar received less than what was now paid to the company, yet the merchant suffered to a much greater amount. These duties were before collected at many places higher up the river than Calcutta; but as Calcutta now contains a greater number of people than Muxadavad in its most flourishing state, no reason could be urged for exempting the inhabitants from a burthen common to all the province. This exemption moreover would have been scarcely practicable, as the whole duty upon salt to the Company was paid by the committee of trade, who became responsible in consequence of the deed above mentioned. Mr. Bolts, fully aware of this difference, estimates his prices, comparing them with former years, in the market of Calcutta. That the price of salt was not enhanced at other places, will appear by the testimony of many gentlemen now in England.

Supposing,

Supposing, for the sake of argument, that the price of salt was enhanced throughout the country; this would only prove, that men who traded without payment of duties, could sell cheaper than those who conformed to the orders of their masters. But as the price was really lower, we may hence judge of the exorbitant profit made by the English trader, who paid no duty, and punished the officers of government if they presumed to interfere. Mr. Bolts very truly asserts, that several *inferior* servants would have preferred their former trade to a share in the society; yet the reader, perhaps, may not think, with Mr. Bolts, that *private* interest is the test of *public* regulations. Mr. Keir himself, who was so great a trader in salt, that he employed, in one season, thirteen thousand people in the manufacture, says, "That the society for the trade in salt, beetle-nut, and tobacco, instituted by lord Clive and the select committee, was so far from being detrimental to the country, that those articles were not only not sold dearer, but indeed at a lower rate, during the monopoly, at most places, at least, than, at a medium, had been done for many years before, while there was a fixt price upon them, which, no doubt, would have been of advantage to the people, had it been continued, particularly with regard to salt." This confession will have the greater weight from Mr. Kier, as the establishment of the society in question "put an entire stop to his trading in that article \*."

When the first plan was framed, lord Clive was engaged in negotiations at a great distance from Calcutta. He did not, however, hesitate to give his assent to the establishment of a society which promised so well to answer the expectations of the company. The experience of a few months suggested several amendments, and lord Clive, in a minute, dated 3d September, 1766, says, "I find that the industrious native is still deprived of that share to which he has an undoubted and a more natural right; nor is it yet upon that equitable footing which justice and humanity would, I am sure, incline this committee to establish." He therefore proposes, that the salt shall be sold at Calcutta, and the places where made, to the black merchants, who shall have the sole right of vending it throughout the country †. To prevent the rich from engrossing, the

\* Vide Thoughts on the Affairs of Bengal, by Arch. Keir, Esq. p. 57.

† Vide Appendix, p. 251.

Calcutta black merchants were not to purchase more than a certain proportion. As the price of salt was fixed at two hundred \* rupees per hundred

\* As salt was the only considerable article of this commerce we have spoken of the society, as established for that article alone. In truth, tobacco was never bought, and a very small quantity of beetle-nut.

It will be granted, I presume, that the establishment of this society was advantageous to the company. Let us now consider how the natives were affected.

The price of salt in Bengal, has ever been fluctuating and precarious, not only at Calcutta, where the salt is first imported, or rather landed, but at Patna, which is our extreme boundary of this trade.

At Calcutta, from the year 1760 to 1765, salt has sold from 100 Arcot rupees, to 170 Arcot rupees, per 100 maunds.

At Patna, the lowest price has been 350 rupees, and it has been often known to rise to 500 rupees, 600 rupees, and even 700 rupees, before the establishment of the society in question.

For the purpose of fixing the prices of sale at the twelve different markets, established by the committee of trade throughout the country, prices current, or rates of sale for many years past, were obtained from each; from some places for 13 years, from others for upwards of 20 years. The medium of which prices being taken, the committee established their prices of sale from 12 to 15 per cent. lower than such medium.

It has been above observed, that the prices of sale at Calcutta have been at 100 to 170 Arcot rupees per 100 maunds. At these rates it has been purchased in Calcutta, and thence transported to Patna, and the other interior parts of the country, subject, however, first to the government's duty, and then to many illegal stoppages, vexations, and taxes, which were at all times very considerable. Under these circumstances, salt has always been sold at Patna from 350 rupees to 700 rupees per 100 maunds.

By the society's plan in 1765, a duty of 35 per cent. and by the plan 1766, a duty of 50 per cent. was paid to the company as duties, and the salt was then permitted to pass through the whole country free from all farther duty, and free from vexations or stoppages of any kind.

It was evidently for the benefit of all interior parts of the country, to receive their salt at a certain fixed rate, rather than be subject to a precarious rise or fall, especially when this fixed rate was established from 12 to 15 per cent. lower than the medium price for many years past.

It is true that the inhabitants in and about Calcutta suffered an increase of price upon their own immediate consumption. The reason was, that formerly the duties were levied on the passage of salt to the different parts of the country, and now the duty was levied upon its importation into Calcutta. Mr. Bolts seems to have formed all his estimates upon the price which salt bore in Calcutta, without making any allowance for the advantages which the interior parts of the country experienced. Mr. Sumner, who was at the head of the committee of trade, will testify, that, exclusive of the district of Calcutta, salt was sold by the society at more moderate rates than it had been in former years, communibus annis.

This increase of price to the consumers of salt in the precincts of Calcutta, small as it was, fell on them only. By the second year's plan, when the society delivered salt to all the black merchants who chose to become purchasers in Calcutta, at the rate of 200 rupees per 100 maunds, in which price was included the company's duty of 50 per cent. and the purchasers had liberty to transport it through the country free from every other charge whatever. It is evident that the people then received it on terms infinitely more advantageous than ever they did in former times, when

dred maunds, and all taxes, delays, and difficulties, were removed, by collecting the duty from the society, the committee were enabled to ascertain the price at the several markets, which would effectually secure the consumer from every imposition.

Those who borrow their notions of commerce from countries where it is highly cultivated, under the protection of a perfect police, may condemn this last attempt: but to the minds of such readers, I wish to recall those

when salt was not only subject to the government's duties, but to very considerable additional charges, which arose from stoppages, vexations, and illegal practices.

According to Mr Sumner's estimate, the lowest price of salt at (a) Patna, before the establishment of the society, was 350 Arcot rupees per 100 maunds, or 1 d.  $\frac{1}{4}$  per lb. English, and it has been known to rise to 500 rupees, or 1 d.  $\frac{1}{2}$  600 rupees or 2 d.  $\frac{1}{4}$  and even to 700 rupees or 2 d.  $\frac{1}{2}$  per lb. English. And after the establishment of the society, the highest price was 400 Arcot rupees per 100 maunds, which is 1 d.  $\frac{3}{4}$  per lb. English.

But I have authority from original papers in the possession of Mr. Rumbold, to declare that all the society's salt at Patna was sold at the rate of 1 d.  $\frac{1}{8}$ , 1 d.  $\frac{1}{4}$ , and 1 d.  $\frac{1}{2}$  per lb. which is rather lower than Mr. Sumner's estimate.

I learn also from Mr. Rumbold's papers, that the common price of salt at Patna, before the establishment of the society, was at the rate of 1 d.  $\frac{1}{8}$ , 1 d.  $\frac{1}{4}$ , and 1 d.  $\frac{1}{2}$  per lb. and that after the abolition of the society (in 1769 and 1770) the common price was 1 d.  $\frac{1}{8}$ , 1 d.  $\frac{1}{4}$ , and 1 d.  $\frac{1}{2}$  per lb. These circumstances are substantial proofs that the price of salt at Patna was nearly, if not precisely, communibus armis, the same, before the society took place, during the continuance of the society, and after the abolition of it, and therefore the establishment of the society, even accord- ing to Mr. Rumbold's papers, cannot be said to have been a grievance.

But there is a material difference between the price of salt at Patna, before the establishment of the society as stated by Mr. Rumbold and as stated by Mr. Sumner. The reason is obviously this. Mr. Rumbold's prices are only estimated for two years before the establishment of the society, when they could not be very high, because at that time the English gentlemen in general traded in salt without paying any duties, but Mr. Sumner's prices are taken upon an average of thirteen and twenty years back, long before the English had any concern in that trade, when the duties of the country government were regularly paid.

At Gualparah the price of salt, after the establishment of the society, was 400 Arcot rupees per 100 (1) Assam maunds, which is full 1 d.  $\frac{1}{2}$  per lb. In the Rungpore and Chilmory districts, the price was 250 Arcot rupees per 100 (2) Chilmory maunds, which is 0 d.  $\frac{1}{4}$  per lb. These were also the average prices for many years before the establishment of the society, but then they were the prices at which salt used to be engrossed by the rich, who sold it again at a considerable profit by retail to the poor. Now *after* the establishment of the society, the poor bought their salt at the same price at which the rich engrossers used to buy it, and consequently were gainers of the difference between the wholesale and retail prices. These particulars I have from Mr. Buhler, who was agent for the society in the districts of Gualparah, Rungpore, and Chilmory.

(a) Patna may be called the extreme boundary of the company's limits.

(1) An Assam mound is 93 lb.

(2) A Chilmory mound is 88 lb.

scenes of violence which had long distracted Bengal; and at the same time beg leave to suggest, that encouragement of industry \* in the production, by an enhanced price from a scarcity, was altogether unnecessary in an article which might easily be increased to any quantity, which the society were always ready to sell for a certain sum; and when consequently salt would be purchased by the merchants as long as the commodity would pay the expence of conveyance to the several markets.

The violence with which the inland trade of individuals had been supported during Meer Cossim's government, the bloodshed and confusion which followed, together with the perseverance of governor Spencer and his council, to support their construction of the phirmaund, or what was equivalent thereto, an exemption from all other duties except two and a half per cent. upon salt, had irritated the directors, and raised so strong a prejudice against the trade, that the court resolved to abolish even the plan established by the select committee. This they did in their letter dated the 17th May 1766, not sufficiently considering, that orders of distant masters were but a feeble barrier against the united interest of every man in the settlement. They afterwards distributed among the servants a commission of two and a half per cent. on the revenues, amounting to 63,000*l.* per annum; but when the general restraint of inland trade was no longer supported by the private interest and authority of the council, Europeans largely engaged under the names of their black agents, and the profits of this commerce were added to the public allowance.

The committee, better informed, foresaw the mischiefs which might probably ensue throughout the country, and the general relaxation of government, which must necessarily follow, should the council secretly engage in a trade prohibited by their employers. The letter from the directors, above-mentioned, reached Calcutta in December 1766, at a time lord Clive was confined by a very severe illness, which had nearly deprived him of life. As soon as his lordship could attend to business, the com-

\* It is by counteracting this principle that monopolies are generally injurious to a country; but here the objection was obviated.

mittee assembled, and on the 16th of January 1767, **RESOLVED**, "That the Society of Trade shall be abolished, and the inland trade totally relinquished on the first day of September next; but that we fully express our sentiments in our next advices to the company, respecting the advantages which would result to the service and to the country from the continuance of this trade under the present restriction." In consequence of this resolution the society was actually abolished on the 1st day of September 1767, nor did they engage in any new concern. But as the committee were personally liable for large duties to the company, certain ruin must have ensued had no time been allowed for the disposal of their stock in hand. One year was therefore given for that purpose.

On the 24th of January, 1767, the committee wrote as follows to the court of directors.

"We now come to speak of your instructions relative to the inland trade, which you very justly consider as the foundation of all the bloodshed, massacres, and confusion which have happened of late years in Bengal. Your orders are positive, and therefore our obedience shall be implicit. Accordingly you will observe in our proceedings, that the society for conducting this branch of traffic stands absolutely abolished on the first day of September next. The contracts for the present year being formed, and large advances made, it was impossible, without ruin to individuals, and confusion to the public, to fix an earlier date for the execution of your orders.

"But although our duty obliges us to pay the strictest obedience to your peremptory orders for abolishing a trade, to which you express so strong an aversion, the same duty requires we should freely offer our sentiments upon a subject, in which we think your immediate interest, the good of the service, and the public welfare are deeply concerned. The honourable court of directors, and, indeed, the whole body of proprietors, found it necessary to restrain by covenants their civil and military servants from receiving those advantages to which they had for  
 " many



“ many years been accustomed. It is likewise proposed, that you may  
 “ enjoy the real fruits of your late acquisitions, to make such an encroachment  
 “ of investment, particularly in silk, as will effectually deprive your ser-  
 “ vants of the usual benefits arising from private trade. Farther, that the  
 “ revenues may not be injured in any degree, they are prohibited from  
 “ lending money at a higher rate of interest than twelve per cent. per an-  
 “ num; and a trade by sea in the manufactures of the country, being the  
 “ only remaining channel for the exertion of industry, that likewise is  
 “ choaked up by those shoals of free merchants annually imported, who  
 “ being incumbered with no public business, nor confined to residence in  
 “ Bengal, can carry on a free trade with every port in India to much  
 “ greater advantage than your servants.

“ Taking all these circumstances into consideration, reflecting also upon  
 “ the great increase of luxury of late years, in consequence of the sudden  
 “ influx of wealth, and that it will not be practicable for a time to reduce  
 “ the charges of living to the present means of supporting those charges,  
 “ we adopted, in consequence of your permission, the plan of a regulated  
 “ and restricted inland trade, as the best method of rewarding faithful  
 “ services, the surest means to excite zeal, and the fairest mode of car-  
 “ rying on a beneficial trade, without relinquishing all the advantages we  
 “ have hitherto received, or subjecting the natives to those encroachments  
 “ on their natural rights, of which they have with too much reason com-  
 “ plained.

“ Our letter by the Camden, and proceedings by the Cruttenden, will  
 “ explain to you the regulations in the original plan of the society, which  
 “ took place in the month of September last. Under these regulations  
 “ the trade can scarce be considered in the odious light of a monopoly,  
 “ since we are rather the agents for manufacturing the salt, than the pro-  
 “ prietors of the trade. It is sold in Calcutta to the natives only, and, to  
 “ the utter exclusion of all Europeans, at an easier rate than it could be pro-  
 “ cured when under the management of the government, before we were  
 “ admitted to any participation. The natives transport it to all the differ-

“ent parts of the country, under such limitations, that it must reach the  
 “hands of the consumer at a stated and moderate price. Hereby the peo-  
 “ple sensibly feel the justice and lenity of our government; and your ser-  
 “vants, who have attained the highest stations, after a course of many  
 “years spent in this unfavourable climate, reap the reward of their services,  
 “and enjoy the means of securing that independence to which they have  
 “so equitable a claim.

“We are now directed totally to renounce all share and benefit arising  
 “from this trade. It must be made over to the natives. The govern-  
 “ment must of course come into possession; nor can it be carried on  
 “otherwise than upon the ancient footing of farming it out to ministers,  
 “officers, favourites, and dependents on the government, who will rear  
 “immense fortunes upon the oppression and ruin of the public, in despite  
 “of our utmost influence and endeavours. These are at present our sus-  
 “picions, time alone can verify our conjectures. You no doubt will  
 “maturely consider how far it is probable men will continue honest against  
 “all the seductions of private interest; and whether it may not be ne-  
 “cessary to strengthen the ties of that duty expected from your servants,  
 “by the lighter bonds of gratitude for the affluence which they enjoy  
 “during the time of their servitude, and the independency they ought  
 “to secure before the close of their labours.”

Long before the last orders of the directors arrived, the committee, sensible that abuses might grow up, notwithstanding the late regulations, unless the governors were wholly unconnected with every interest in the country, recommended to the council, in consequence of the following minute, entered in consultations 19th of September 1766, that the president should relinquish his shares in the salt-society, and receive an equivalent \* from the revenues.

\* The directors afterwards adopted this expedient respecting all their servants, but by abolishing the restrictions under which this trade was carried on, and opposing ineffectual prohibitions to the private interest of all their servants, they have let in upon the country all the former evils, and lost their revenues from this commerce.

Select Committee Proceedings, 19th of September 1766.

“ The right honourable the president has urged the necessity of restricting the future governors of this presidency, in points of trade and private interest, with arguments of so much force and conviction, in the following minute, that we unanimously agree in recommending his lordship’s proposal to the board, that it may be carried into execution with all convenient dispatch.

“ *Lord Clive’s Minute.*

“ Our attention as a select committee invested with extraordinary powers by the court of directors, has been constantly engaged in reforming the abuses which had crept into the several departments of this government. The important work has been steadily prosecuted with zeal, diligence, and disinterestedness on our parts, and the success of our labours gives us reason to hope that our employers will be of opinion that we have established many useful and necessary regulations. Many others however are still wanting to complete our plan; but I doubt not that the same principles which have hitherto guided our conduct, will continue to direct and justify the measures we have yet to pursue.

–“ To place the president in such a situation as will render his government honourable to himself, and advantageous to the company, appears to be an object of as much consequence as any that has been taken into our consideration. Where such immense revenues are concerned, where power and authority are so enlarged, and where the eye of justice and equity should be ever watchful, a governor ought not to be embarrassed with private business. He ought to be free from every occupation in which his judgment can possibly be biased by his interest. The extensive commercial affairs, the study of the finances, the politics of the country, the epistolary correspondence, the proceedings of council and committee, these are sufficient to employ every moment of his time; and I am confident they cannot be conducted with the requisite attention

“tion to the company’s interest, if the mind of the governor be diverted  
 “by complicated mercantile affairs of his own.

“If we look back upon those unhappy dissensions, which have frequently brought the company’s possessions in Bengal almost to the point of destruction, we shall find that they have generally proceeded from the conduct of governors, who, too eager in the pursuit of private interest, have involved themselves in affairs which could not be reconciled to the strict principles of integrity. To prevent scrutinies and discoveries, which might in any degree affect their honour, they have frequently been reduced to the necessity of conniving at abuses which would otherwise have been brought to light and remedied. The welfare of this great company should be the sole study of a governor; attached to that point alone, his measures could never be thwarted by the malice of opposition, because they would all be proposed for the public good, and actions will always be justified or condemned from the principles on which they are founded.

“Such a state of independency and honour must be highly eligible to a governor; and, in my opinion, it can only be acquired by cutting off all possibility of his benefitting himself either by trade, or that influence which his power necessarily gives him in these opulent provinces.

“I therefore propose that the governor shall, in the most public manner, in the presence of all the company’s servants, the mayor and aldermen, and free merchants, assembled at the Mayor’s Court, take the oath and execute the penalty-bond annexed.

“The consideration I have proposed is 1 per cent upon the revenues, excepting those arising from the company’s own lands at Calcutta, Burdwan, Midnapore, and Chittagong.

“Although by these means a governor will not be able to amass a fortune of a million, or half a million, in the space of two or three years,

“ yet he will acquire a very handsome independency, and be in that very  
 “ situation, which a man of nice honour and true zeal for the service  
 “ would wish to possess. Thus situated, he may defy all opposition in  
 “ council; he will have nothing to ask, nothing to propose, but what he  
 “ means for the advantage of his employers. He may defy the law, be-  
 “ cause there can be no foundation for a bill of discovery; and he may  
 “ defy the obloquy of the world, because there can be nothing censurable  
 “ in his conduct. It short, if stability can be insured to such a government  
 “ as this, where riches have been acquired in abundance, in a small space  
 “ of time, by all ways and means, and by men with or without ca-  
 “ pacities, it must be effected by a governor thus restricted; and I shall  
 “ think it an honour if my proposal be approved, to set the first ex-  
 “ ample.”

The oath was, That the governor should not, directly or indirectly, carry on any trade, but that he should not be precluded from disposing of such goods or merchandise as might be on his hands unfolded at the time of his commencing governor.

A proviso was inserted, That he should not be prevented from purchasing diamonds or other precious stones, provided he did not dispose of the same by way of barter or sale in the East Indies, or from remitting his fortune to England by bills, or in any other shape.

That he would not lend money at a higher rate of interest than ten per. cent.

#### OBSERVATIONS.

The reader must observe that this oath was drawn up not to be taken by lord Clive only, but by future governors, who, as merchants, must be supposed to have some merchandise undisposed of at the time of their coming to the chair. Lord Clive himself was not engaged in commerce.

It may be proper to remark that there were only two (eligible or perhaps strictly legal) modes of remitting private fortunes to England, the one by bills on the company, the other by diamonds. Every man preferred the former when he could obtain it, as the least hazardous.

The company's servants, even by permission of the court of directors, had a right to lend money at twelve per cent. and the common practice had been to lend at two

and

and three per cent. per mensem. It would have been very ridiculous if a governor, upon not being able to procure the remittance of all his fortune, should not have had the power of lending at a moderate rate of interest, which ten per cent. most certainly is in that country. It is not more than equivalent to five per cent. in England.

That he would not receive any present from any of the country powers exceeding the amount specified in his covenants with the company.

It was possible that former covenants might be evaded. This oath, and the penalty-bond which followed it, made all evasion impracticable.

That he would not receive any fee or gratuity for the disposal of any office or employment whatsoever, the true intent and meaning of the oath being, that in consideration of ; per cent. upon the *Dewanee collections*, his salary and stated allowances, commission upon the mint, coral, and freight goods, and money lent at ten per cent. interest, no other emolument or advantage whatsoever, either by trade or otherwise, should accrue to him as governor of Bengal.

The commission upon the mint, coral, and freight ships is fixed, and belong to the governor by long usage, and by the appointment of the company. It amounts to a very trifling sum.

This proposal being approved by the council, a deed between lord Clive and the company, correspondent with the oath, was executed and registered in the Mayor's Court, by which the governor bound himself to the faithful performance of every clause in the penal sum of 150,000l. to be forfeited in case he should act contrary to that indenture, one third to the informer, and two thirds to the company; recoverable upon proof given  
in

in the court of chancery, exchequer, the mayor's court at Calcutta, before the court of directors, or the council at Bengal.

Whether the trade of this society so restrained under the eye of a president, who, without the bias of interest, might derive honour to himself by correcting the faults of others, was less injurious to the natives than the trade carried on at present, the reader may determine. I will venture to assert, without fear of contradiction, that when the increased charge of 40,000 l. upon the revenues, is added to the loss of duties, it will be found, that the company have suffered more than 150,000 l. per annum by overturning this plan.

To answer the arguments of every caviller, would be unworthy those who wish to give information. Facts are stated, the motives explained, and authentic papers referred to for proof of my assertions. This may be deemed sufficient by some, for so far only the public interest extends, but I hope the candid reader will not think it an improper intrusion on his patience, if I proceed to refute an injurious ascription thrown upon the character of the noble lord, who was a principal actor in the transaction here explained.

Lord Clive declared, in his letter to the court of directors, that his intention was to relinquish his share of trade to the inferior servants. This declaration was made upon a supposition that the *inland trade* would be prohibited, and designed “*as a means to alleviate the dissatisfaction which such restrictions may occasion.*” The company resolved to continue the inland trade. No reason therefore existed which could induce a man of honour to refuse that share in the society, which was established for all successive governors, when a plan, framed in pursuance of orders from directors and proprietors, was carried into execution.

But it is said, lord Clive declared, in a general court, that he would return to England not enriched a shilling by his expedition. This engagement he literally fulfilled. His shares in the society of the first year, for he had none in the second, together with his commission on the revenue,

nues, appear upon the public records. These he distributed among the gentlemen who accompanied him to India; and his intention so to do was known in England as early as the 24th of March, 1767; for on that day a ballot being taken on a question concerning the jaghire, the following declaration from a friend of his lordship was not only repeatedly published in every news-paper, but industriously circulated among the proprietors of India stock.

“ That his lordship has been adding to his fortune is most untrue. His  
 “ friends defy the bitterest of his enemies to support the charge. A  
 “ solemn attestation in that respect, from lord Clive himself, was read  
 “ in court by the friend to whom lord Clive addressed his letter; and  
 “ it is now submitted to print, in order to discredit assertions which  
 “ are false, or else to remain in public testimony against his lord-  
 “ ship.”

*Extract of a letter from lord Clive, dated Calcutta, 30th Sept. 1765.*

“ That you may assert with confidence the justice of my cause, I do  
 “ declare by the God who made me, it is my absolute determination to  
 “ refuse every present of consequence; and that I will not return to Eng-  
 “ land with one rupee more than arises from my jaghire. My profits  
 “ from salt shall be divided among those friends who have endangered  
 “ their lives and constitutions in attending me. The congratulatory na-  
 “ zirs\*, &c. shall be set opposite my extraordinary expences; and if ought  
 “ remains, it shall go to Poplar, or some other hospital.”

The account last mentioned was delivered to the council of Calcutta upon his departure for England; and the writer of these sheets can testify that nothing did remain. On the contrary, his lordship expended more than five thousand pounds from his private fortune.

\* To refuse complimentary presents, or, as they called in the letter, congratulatory nazirs, would, in India, be deemed an affront. Presents, to a certain value, are therefore excepted in the covenants.



The reader should understand whence this last engagement, not to enrich himself, had arisen. The motion, in 1764, to request lord Clive would again embark for India, was received with universal applause, and immediately passed into a vote. Some gentlemen in the direction, although they could not object to the expedition, raised obstacles to its execution in every stage of the business. They condemned the powers to be given to the select committee, although they themselves had three months before, in a less alarming situation of affairs, invested Mr. Vansittart singly with absolute authority, had given the same powers to Mr. Vansittart's unknown successor, jointly with a select committee; nay, assigned as a reason for not giving these powers to him alone, that they knew not who that successor might be. It was at length insinuated, that the expedition was convenient to his lordship, who had the *same object* with every other man in the company's service. Lord Clive thought proper to contradict these calumnies; at the same time declaring that he would not enrich himself by his voyage to India. It surely will appear a very forced construction of such an engagement, to contend that he ought not to apply the acknowledged profits of his government to the reward of those whose services were necessary to him in the discharge of his public duty.

These gentlemen went to India with the knowledge of the directors, but without any emoluments from the company. Unrestrained by covenants, they might have been easily enriched by trade or presents. Numberless opportunities occurred; but it was thought more honourable to confer upon them the known acknowledged rewards which the governor might justly have appropriated to himself.

It has been asserted, that the jaghire was restored to lord Clive upon his entering into the engagements before mentioned. Nothing is less true. It is notorious, that he declared himself ready to embark for India, and leave his right to the decision of the law. When the proprietors requested him to accept the government and command of their forces, the jaghire was depending in chancery. By the proceedings in the cause, it appears

\* See the general letter to Bengal, in February, 1764.

that a curious reason had been given for withdrawing it, "because all cordiality had ceased between the directors and his lordship." This reason not being conclusive with the proprietors, a proposal of accommodation was accepted, and the jaghire was settled upon his lordship for ten years, if he should so long live. The directors, in the year 1767, sensible of his disinterested services in Bengal, proposed to a general court a prolongation of this term ; and, although some opposition was made while the crown claimed a right to the company's revenues, a farther term of ten years was afterwards added, by an *unanimous* vote of the proprietors, Mr. Vansittart himself speaking in support of the motion.

## C H A P. V.

The Impossibility of introducing English Laws into Bengal, with some Observations on the Nature of those Regulations which the Manners and Habits of the Natives may admit.

IN the foregoing chapters of this work, the principal objects of government are examined so far as the power and influence of the English have produced a change. The reader, who is conversant with the histories of more settled states, will not be greatly surpris'd if some errors should appear, and will judge with temper the conduct of men, who, compelled by necessity, have acted in a new scene, unaided by experience. If in Great Britain, where the form of our government has grown up to maturity in the course of several ages; where the power of each magistrate has undergone frequent discussions from the united wisdom of successive generations; where all authority is committed to the hands of men formed by education for their several stations, and where the effects of its exertion may be traced in our history; if, in a country like this, we are perpetually alarmed with supposed invasions of our rights, and frightful pictures of encreasing despotism are daily held forth to terrify the people, what a portrait might the dullest imagination exhibit of Bengal? By minds open to such impressions, little regard will be had to the different manners and habits of a people; to the enterprising Mahomedan or Armenian opposed to the gentle native of India; to the condition of conquerors living amidst a timid and submissive race, like soldiers unrestrained by discipline; of men clamorously demanding the protection of laws ill understood and worse applied, where interest and passion unite to confound all order, and where lordly traders, impatient of controul, hope to gratify their own sordid avarice in the general wreck. Such considerations will have little weight with many readers, who will estimate our conduct in the government of Bengal by the rigid letter of those laws, which the more perfect polity of  
Great

Great Britain can alone admit. Without examining my own conduct by rules which I do not understand, and which were not formed for the scene in which I acted, it will fully satisfy my ambition, if to the candid and dispassionate I shall appear to have pursued the interests of my employers, to have respected the rights of others, and to have deserved the character of an honest man.

When lord Clive arrived in Bengal, in the year 1765, the English had gradually advanced to that point, which rendered a continuance of their former system impossible. The principles upon which the subsequent change was conducted, the reader will examine by the motives which our situation at that time suggested; and, if he wishes to form a just judgment, will attend to the whole affairs of the company, both at home and abroad. I have here given a plain and artless narration of our transactions, and might now dismiss the subject, but that, after the experience of more than twenty years, I feel myself instigated to resist those wild opinions, which probably have arisen from ignorance of the country. To demonstrate the impossibility of introducing English laws, or, indeed, any new system, will not be difficult. To point out those alterations in government, by which it may be possible to connect the welfare of Bengal with the interest of Great Britain, is a more arduous task. I shall attempt the latter part with extreme diffidence and distrust, since our own experience is yet very imperfect, and that of other nations can afford little assistance.

Men well versed in history too often imbibe not the spirit of nations. They trace not the various means by which the minds of a people gradually unfold to civilization, by which men are moulded for the reception of laws. They regard not the slow growth of those opinions, which can alone give effect to limitations of power in the magistrate, but would transplant in an instant a system of laws established in this country by the progressive experience of ages, and impose it on a distant people whose religion, whose customs, whose habits of thinking, and manner of life equally prohibit the attempt.

These are not errors of the vulgar. The philosopher here only mistakes. Ask the peasant his right to a field; his father enjoyed it before him. Let a clown be slightly beaten for a trespass, when an action at law would have ruined: he understands not the trial by jury, or the relation it bears to our government; yet he complains of arbitrary violence, and his cause is espoused by his neighbours, as little informed as himself.

This spirit, this opinion of right, which gives force and effect to our laws, is matured by age, and transmitted from father to son, like the subjects to which it relates. If the northern nations who broke in upon the Roman empire could not relish those beauties of art which are the immediate objects of sense, how can a people receive even beneficial provisions, which have no existence but in the mind, are known but by their effect, and which experience alone can approve? Intricate laws among a rude people may, like refinements in religion, be useful to men entrusted with the sacred deposit. The more anxious the care of the legislator, the more complex the limitations of power, the more occasions of abuse will occur. Lawyers, like the priests of old, will judge of the duties of men by the interests of their own order, and the oppressed subject will feel the institution a burthen without reaping the smallest advantage. Even supposing men of enlightened minds and tried integrity to preside, their influence will scarcely be felt. The dread of the English name has proved a plentiful source of oppression in the hands of private men. Shall we add a complicated system of laws to impose on a timid and indolent race? Who will understand his rights? Who will apply to our courts for redress? Thus to lessen the powers of government, must we fly to anarchy, and render every English gomaslah the interpreter of his own claims? There are some notions of justice not confined to time and place, derived from the necessary intercourse of men, and common to every clime. These are the foundations of all government, and from such simple beginnings must our fabrick be reared. To render all rights plain and simple, to remove rather the occasion than means of oppression, and to enforce a prompt administration of justice, according to the primary laws of all nations, can alone be safely attempted.

This subject deserves a fuller discussion. Let us therefore descend somewhat into detail. Personal contracts form a considerable title in every code; and here different nations approach nearest to each other. Our law of contracts is greatly borrowed from the civil law, which has been adopted with some little variation by all the other nations of Europe. The commentaries upon the Koran, as far as they regard matters of contract, are, I am told, chiefly derived from the same law, established in the Greek empire, and are received, subject to the arbitrary will of the prince and his officers, wherever the Mahomedan religion prevails.

The truth is, that there can be little diversity, where all men have the same intention, and express it nearly in the same manner. No sooner do mutual necessities beget an exchange of commodities, than the nature of a sale is perfectly understood. If I relinquish my horse, and accept the price, in no quarter of the world can this simple transaction be mistaken. So he that receives goods from a merchant without mention of price, tacitly engages to pay their real value in the market. So likewise he that employs a person to transact business, or perform any work, undertakes to pay him as much as his labour deserves. Yet even here some diversities will occur in the laws of different states. Not to mention the various causes or considerations of contracting, every agreement has a relation not to the parties only, but to all around them, to the government, to the state of commerce, to the police of the country.

Public rights are every where more exposed than private. The extent of the former renders them less subject to inspection, and the officers employed have little interest in their defence. In the most free countries the magistrate is therefore armed with extraordinary powers, and is permitted to vindicate his claim, when a lapse of time seems to have established the right in another. Where shall this privilege end? What superior remedies shall the magistrate possess? Into what hands shall he follow the property of his debtors? or what transactions shall he be permitted to unravel?

Again,

Again, various degrees of credit prevail in the dealings of different nations, but in none are all engagements *immediately* executed. Upon what mutual undertaking must the contract be founded, by what evidence supported, before the individual can call upon the magistrate for assistance? When shall it be considered as his duty to interfere? What process against the person shall the creditor demand? What punishment be inflicted to enforce the payment of debts? What unequal contracts shall the creditor be admitted to rescind?

These are questions which no general reasoning can enable us to answer, but which the prudent legislator must determine, with a view to the present situation and commerce of his subjects.

The hungry and necessitous will ever commit depredations on property. This is an evil which the public are concerned to repress, and encouragement must be given to the owner in pursuit, whether the injury be an open and violent, or a secret theft. To what cases shall this right extend? By what transfer of possession shall the property be changed? Shall the rule vary, as the thing taken can be more easily conveyed or concealed? How shall we decide between the interest of a fair purchaser on one hand, and the claim of a meritorious prosecutor of crimes, himself equally innocent, equally injured on the other? These, and innumerable like points, must finally depend on the state and condition of a nation; and he, who is in the smallest degree conversant with the history of laws in any country, must have observed, that they perpetually vary with the varying condition of a people. As well might we transplant the full-grown oak to the banks of the Ganges, as dream that any part of a code, matured by the patient labours of successive judges and legislators in this island, can possibly coalesce with the customs of Bengal.

To pursue our chain of reasoning, it will be necessary to investigate the domestic relations of private life. Here the intelligent reader will discover that different nations diverge, as it were, still farther from the common centre, until climate, religion, and laws conspiring, have formed  
creatures

creatures so dissimilar to each other, as might tempt one to rank them under different species. As well might we expect that the Hindoo could change his colour, as that several millions of people should renounce in an instant those customs, in which they have lived, which habit has confirmed, and religion has taught them to revere. If this were accomplished, more than half our work would yet remain. They must not only renounce old, but assume new manners. The man must be again created; and this prodigy be effected by unknown laws, repugnant to every thing he had heard, seen, or felt.

It is common to uninformed man, in every quarter of the globe, to judge rather from the perceptions of sense, than the cooler refinements of reason. This habit of thinking pervades his whole conduct. The distant relation to the magistrates is forgotten, while the benefits derived from the father or master make a lively impression on the mind. Remove the impulse of fear, and the former relation depends wholly on an opinion of remote advantage, the growth of which no experience of protection in despotic states can greatly favour. A defect of government naturally tends to draw closer the ties of private life, and the individual unprotected from without, shrinks into the smaller society, where all the affections of his heart centre. A country without police provides no asylum for distress. The poor look up to the hand that feeds them, and experience of a master's indulgence produces a more ready submission to his power, than to that of a judge, whose conduct is equally unrestrained by rule. This is not confined merely to domestic servants, but extends equally to manufacturers employed by the merchant. Without this authority the master would fear to advance his money, and the workman be unable to procure either the means of subsistence, or the materials of his work.

A

When Cossim Ally Cawn claimed the full dominion of his country, and bitterly inveighed against the English for encroaching upon the officers of his government, it was universally understood that he claimed no power over the weavers, &c. in the English pay. Throughout Mr. Van-

fittat's



fittart's Narrative this is every where supposed, and the Nabob, in answer to the last treaty proposed, declares, "Whenever the chiefs and gomastahs of your factories interrupt not my people, and the dependents on the government, my officers also will not interfere with the weavers, py-cars, and others *usually dependent* on your factories."

That Mr. Vanfittart understood this power not to be relinquished in his treaty, though the right appeared too plain to be expressly inserted, is evident from his minute in Consultations, the first of February, 1763. This authority was afterwards abused, when the company became grand monopolizers of the trade. But the interest of common masters abundantly secured the servant from oppression, lest he should seek for protection elsewhere.

Such being the prevailing habits among the natives of Bengal, it is difficult to conceive a more ridiculous scene, than a grave judge, arrayed in his robes of dignity, discoursing before the simple Indian of implied hirings for a year; of statutes compelling labourers to work, and masters to employ; of apprenticeships; of indentures; of the necessary qualifications for the exercise of trades, and the incapacities consequent on neglect; where relief may be given by one magistrate, and where redress must be sought from another. He might pronounce a very graceful panegyric upon the noble policy of our English law, upon the generous equality subsisting in the inferior relations of life, and the elevated sentiments it is fitted to inspire. All this may be just, would the native observe, but I know not the judge, and how can I believe him my friend? If my master forsakes me, to whom shall I look for support? or how can I expect protection from those who derive no advantage from my labour \*?

A plurality of wives is admitted throughout the East. It is a law derived from the climate. "Women in hot climates," says the president

\* In Bengal the people are so far from supposing justice due from the magistrate, that one quarter of the property in dispute belongs to the judge, as a reward for his trouble.

Montesquieu, "are marriageable at eight, nine, or ten years; they are old at twenty. It is therefore extremely natural, that in these places a man, when no law opposes, should leave one wife to take another, and that polygamy should be introduced." Our laws, formed in a temperate climate, where the charms of women are better preserved, where they arrive later at maturity, and their reason accompanies their beauty, have adopted the natural equality between the sexes, and allow but one wife. The children of others are considered as bastards, the relation of parent and child is dissolved, and they are not permitted to inherit.

A dying father distributes his effects. He gives the bulk of his fortune to the son of his favourite, making a proper provision for all. The happy man enters on the possession, and enjoys it for years, with the approbation of all around him. Laws are now discovered, by which the marriage of his mother is void\*, and the testament of his father annulled†. The poor wretch is dragged before our courts, and committed to a dungeon, until he produces the money, which he has innocently spent. In vain would he implore their mercy, and deprecate a punishment he had never deserved. The judge might commiserate, but could not redress, for the rules of private property no power can suspend. Thus should we teach the encircling spectators to admire our justice, and bless the hands that had imposed the yoke. Could we even tear the feelings of nature from their hearts, the gaping creatures would wonder at the violence, without understanding the object to be attained.

Marriage is a state connected with the former relation, and instituted for the better performance of a parent's duty. It varies, however, in different countries, not only as to forms and solemnities, the age of contracting, and the rights of property conveyed, but likewise as to the power and dominion of a husband. It is a happiness to live in those cli-

\* The common law of England never allowed polygamy.

† 29 Car. II. c. 3. regulates the forms of testamentary dispositions.

mates, which permit a free communication, where that sex, who have most charms, embellish without corrupting society.

This happiness, however, cannot be the lot of every nation. In climates where marriage is contracted at an early age, before reason assumes her empire, where the passions are quickened by the near approach of the sun, and morality serves only to awaken remorse, the confinement of women universally prevails. "Those, says the president Montesquieu, who consider the horrible cruelties, the treachery, the black villanies, the poisonings, the assassinations, which the liberty of women has produced at Goa, and in the Portuguese settlements in the Indies, where religion permits only one wife; and who compares them with the innocence and purity of manners of the women of Turkey, Persia, Mogulistan, China, and Japan, will clearly see, that it is frequently as necessary to separate them from the men, when they have but one, as when they have many."

If this account be just, and it is supported by the relation of travellers, the confinement of women is a law that cannot be changed. Throughout India the practice most certainly prevails, and is closely connected with the manners and religion of the people. The Hindoo, not less than the Mahometan, dreads the exposure of his women as the worst dishonour. Mr. Scrafton informs us, "that nothing hurt Suffraz Cawn (a former subbahdar of Bengal) so much, as the disgrace he put on his richest subject, Jaggut Scat. Hearing that his son was married to a young lady of exquisite beauty, he insisted on a sight of her. All the father's remonstrances were vain. He saw her, and sent her back, possibly uninjured. But the very seeing her in a country, where women are concealed, was an injury not to be forgiven." "Women," says Mr. Dow, "are so sacred in India, that even the common soldiery leave them unmolested in the midst of slaughter and devastation. The Haram is a sanctuary against all the licentiousness of victory; and ruffians, covered with the blood of a husband, shrink back with confusion from the secret apartments of his wives."

## GOVERNMENT IN BENGAL.

Shall our writs of liberty unlock these sacred recesses? shall no reverence be thought due to the honour of a husband? or shall we dissolve the condition of a wife, incapable of governing herself? shall our courts of justice become the authors of outrage, which the bloody ruffian would fear to commit? Thus, in despite of nature, shall we dissolve the ties of domestic life, without substituting any government in their place, and force the servant, the child, and the wife, to renounce their dependence, unable to afford them protection,.

Our notions of man are two frequently taken from the polished citizen of Britain; and we rudely imagine him to be the same creature in every state. We forget that society has a progress, as well as the individual. Man may exist, where the citizen is unknown. With growing laws the latter gradually unfolds, until, assured of protection, each individual looks around with confidence for the objects of his separate pursuit, and becomes unmolested the artificer of his own fortunes. But as well might we expect the frivolous gallantry of a Frenchman in the wilds of America, as hope that minds depressed by despotism can embrace the idea of a common interest, or conceive the dominion of laws.

If the civil rights established in Great Britain cannot be adopted by the inhabitants of Bengal, to impose our criminal code, will be found yet more impracticable. This head of laws has less relation to individuals, than to the whole, to the government with its dependencies, to the established religion, to the domestic and foreign interests of the state. The natural rights of men must be protected in every country; but the means of affording even this protection must relate to the habits of the mind; and example would lose its effect, unless experience of benefit kept pace with the punishment of crimes. It is difficult to speak with temper of subjecting nations to laws, which they cannot understand; of inflicting punishment, where there can be no intention to offend; and of enforcing regulations without an object, because the necessities of a distant people, dissimilar in soil, in climate, in situation, in morals, manners, religion, and

of life, have extorted these provisions from their rulers. To analyse a subject of such extent will be difficult. To contrast the laws, manners, and customs of two separate nations, will require a knowledge I do not possess, a labour which I care not to employ. Yet a part of the subject may deserve our attention, and afford both profit and pleasure for our toil.

In the first class of crimes are usually ranked such actions as directly strike at the very being of the state. High treason is every where severely punished, but in a country jealous of its liberty, among a people devoted to their laws, where nevertheless a single magistrate possesses an extensive authority, this crime will be strictly defined. The statute of treasons relates wholly to the immediate administration of the king. Our judges have very liberally expounded these provisions, and construed every action subversive of government, to be either "imagining the king's death"—"levying war against him"—"or giving comfort and aid to his enemies."

Let British laws be adopted in Bengal, the president of our settlement will possess neither power nor prerogative, but will sink to a level with the meanest. The name is unknown to our judges; and violence to his person must be adjudged a private injury. It may even be doubted whether correspondence with an enemy of the company, supplying him with military stores, disciplining his army, and assisting his councils, would subject an offender to the penalties of treason. Should such doubts prevail, every check interposed might be deemed an injury: every punishment inflicted be an arbitrary violation of law. Not only the great bonds of society will be broken, but all public rights, relative either to domestic government or external defence, be destroyed, because English laws relate to the executive power of the state entrusted in very different hands.

Thus would the whole fabric of government be dissolved, and every power annihilated, where the dominion of a few strangers over a multitude of natives, will require a jealous, active, and vigorous administration

tion for its support ; and where the subject accustomed to despotism will regard as weakness in his rulers, even the ordinary delays of justice.

Our laws would be equally destructive of the people, as ruinous to the government of Bengal. Not to mention the laws relative to religion and domestic policy, not to enumerate the long \* train of felonies created by parliament, the rigid punishment of a very few species of crimes might deluge the country with blood.

Women in the East are transferred with little † ceremony, and whether they be wives or concubines, the men seldom await their consent. Were our laws of rape and rules of ‡ evidence enforced, one half of the males would incur the penalty of death. I mean not to justify their practice, but beg leave to suggest that the sword of justice, when too deeply stained with blood, may prove but an indifferent corrector of the morals of a nation. It has before been remarked that the necessities of a people extort many laws from their rulers, some of a very sanguinary nature, which even the savage despot would condemn, when applied to a different state of society. The amazing extent of public and private credit in Great Britain, has induced our legislators to punish forgery with death. Under this law a native of Bengal was condemned in the year 1765. But so extravagant did the sentence appear, where experience had never suggested the principle, such the disproportion in their eyes between the punishment and crime, that the principal inhabitants of Calcutta expressed their astonishment and alarm in a petition to the governor and council ; and upon a proper representation, Radachurd Metre received a pardon §.

These, among many other instances which might be given, will suffice to prove the violent effects of introducing the English laws. In other particulars their defect will be as conspicuous as in these their excesses.

\* Not less than one hundred and sixty capital felonies are created by acts of parliament.

† When colonel Clive defeated Surajah al Dowlah, Meer Jaffer sent to offer the colonel some hundreds of Surajah's women who were taken in the camp.

‡ Girls under ten years of age are incapable of consenting by our law, and therefore the knowledge of them without violence is punished with death.

§ Vide Petition, App. p 177, No. 63

A Hindoo had been bribed to procure some papers belonging to a gentleman who died in the company's service. The son caught him in the fact; and, in revenge of his treachery, compelled him to swallow a spoonful of broth. Ridiculous as the punishment may seem, it was attended with very serious consequences. No sooner was his pollution known, than he was degraded from his cast, lost all the benefits of society, and was avoided as a leper by his tribe. When a man is thus disgraced, he is thenceforward obliged to herd with the Hallachores, who can "scarcely" "be called a tribe, being the refuse of all tribes. There are a set of poor "unhappy wretches destined to misery from their birth. They perform "all the vilest offices of life, bury the dead, and carry away every thing "that is polluted. They are held in such abomination, that, on the Ma- "labar side of India, if one of these chances to touch a man of a superior "tribe, he draws his sabre, and cuts him down on the spot, without any "check from his own conscience, or from the laws of the country." In this miserable situation was the Hindoo, when lord Clive desired the Bramins to assemble and consider, if there could be no remission of an involuntary deviation from their law. After many consultations, a similar case was said to have been discovered in the sacred books; but although the Bramins affected a compliance, the man was never restored to his cast.

Their Mahomedan governors often take advantage of this principle, when they want to extort money; and so highly do the Hindoos value their religious purity, that after they have borne the severest corporal punishment rather than discover their wealth, a threat of defilement will effect what torture has attempted in vain. Should this species of oppression be now practised in Bengal, what adequate punishment could our law inflict for so atrocious an injury? or how can we teach the natives to acknowledge our justice, when rights dearer to him than life are left wholly unprotected?

Happily for the inhabitants of Bengal, this absurd and extravagant system of transplanting English laws, which have grown from the pecu-

\* Mr. Scrafton's Reflections on the Government of Indostan.

liar necessities of a people in the course of several centuries, to a country where the occasions of enacting them never had an existence, is not more ridiculous in speculation, than impossible in practice. Independent of the difficulty arising from their abhorrence of oaths, and their ignorance of the language in which our laws are conceived, how impossible would it be to promulgate them to many millions of people; or how could the magistrates obtain a knowledge of transgressors, when the nation were unacquainted with rules to which the idea of offence must relate?

He who will consider how small a portion of what we deem RIGHTS in civil society, are derived from the first impressions of nature, and that all beyond are mere creatures of law, supported by habits of enjoyment on one side, of acquiescence on the other, will readily conceive the violence with which a sudden change must operate on the feelings of mankind. It is well known that the experiment has already been tried with a nation less dissimilar than the Hindoos to our own, but without success. The power of conquerors in Canada could give only a nominal existence to our laws. They were established indeed by the magistrate, yet rejected by the people; and property is now distributed according to their former customs, unsupported by public authority.

We come now to speak of those regulations which the state and condition of the people may permit. Here it first occurs, that Bengal must be governed by a few strangers from this country, who will not renounce their laws, or the liberty which in this island they enjoy. To enforce these rights courts of justice must be established, and Europeans in our settlement be subjected to the civil and criminal laws of Great Britain. But, as this inequality of condition might uphold the tyranny of individuals over the natives, all Europeans (except gentlemen upon actual service) should be confined to the several settlements of the company.

Why cannot the liberty thus secured to Europeans be extended throughout the province? If the reader be not yet satisfied, a momentary atten-

\* Some exceptions may be admitted, with permission of the governor and council.



tion will convince him, that it is inconsistent with the nature of that government of which alone the people are capable, and repugnant to that relation which they now bear to Great Britain.

All free governments have their foundation in the natural equality of mankind. The forms of such governments, by distributing political power among the several orders of men, nurture this principle in the minds of a nation; while the principle itself gives life, vigour, and effect to the laws. These forms, these laws, and this principle, without which the laws would be worse than a dead letter, are, nevertheless, the growth of ages. Their gradual progress, and the aid which they mutually afford to each other, cannot be better understood than from the history of our own country, whose government is a model of political perfection. But the execution of our laws supposes a people educated under them; and were it possible to infuse this spirit into the natives of Bengal, we instantly emancipate them from subjection to ourselves.

The forms of administering justice in different countries are regulated by the same cause, and the simplicity of laws will be greater or less under different governments. "If we examine," says the president Montesquieu, "the set forms of justice, in respect to the trouble the subject undergoes in recovering his property, or in obtaining satisfaction for an injury or affront, we shall find them, doubtless, too many; but, if we consider them in the relation they have to the liberty and security of the subject, we shall often find them too few." The same ingenious author adds, "that when a person renders himself absolute, he immediately thinks of simplifying the laws." The reason which he there gives is common to the people with their rulers: "They are more affected with particular inconveniencies than the liberty of the subject." For this reason no complex administration of justice can ever exist but in a free government; and the simplicity of their ancient laws must be continued to a people long accustomed to despotism like the natives of India.

To preserve to a conquered nation their laws, customs, and magistrates, humanity, justice, and sound policy will equally demand. To connect this government, so preserved, with that of Great Britain, may well deserve the attention of parliament. How this can be effected we now proceed to examine.

Delegated power in Asia has ever been moderate in the exercise. The reason is obvious; the interest of the despot has no relation to the passions and follies of his servant, who is readily sacrificed when he affords cause of complaint, or interrupts the \* tranquillity of his master. On the contrary, when governors are entrusted by free states with absolute power over a conquered people, this authority has always been abused. Witness the desolation of the Roman provinces, where the laws against peculation rather increased the oppression. In free states, it is impossible to inflict an adequate punishment upon a man whose criminality can be ascertained by no † settled rules, but must result from the whole of his conduct. The power of the judge in a free country is limited by the strict letter of law; and the formalities of justice increase in proportion to the value which is set on on the honour, fortune, liberty, and life of the subject.

The nature of the people, and the relation in which they stand to us, render impossible a free government in Bengal; and our laws are inadequate to the controul of distant governors armed with such extensive authority as must ever be upheld in India. It becomes necessary, therefore, to interpose some check upon the spot, and give the natives an administration of justice not immediately dependent upon the will of their rulers. Assuming also the proposition, that we must continue to the natives their laws and customs, both civil and religious, it follows, that the judges who ad-

\* This is the cause why the mogul government was more tolerable in the provinces, than that of the independent nabobs and subahdars.

† On the other hand, the strict letter of our laws may condemn acts not only innocent but laudable, and even necessary. It will be absurd to judge of the conduct of a governor by a reference to rules fitted for a very different situation of men and things.

minister justice must be taken from among \* themselves. As this would lead to independency, it is necessary, that the governor and council, being the supreme power in Bengal, should have authority to issue edicts from time to time; but as it is the nature of legislation, that its provisions should be *general*, and not directed to a *particular* object, these edicts should have no effect until — months after they had been registered in the supreme court of English judicature.

Laws have no power, unless the observance be enforced by the sanction of punishment; and as a conquered people are to be held in subjection, this power must reside in the conquerors. Were this authority entrusted to the legislators, two powers, which ought ever to be distinguished, being united in the same persons would be liable to abuse.

The supreme judges of our English court, who will have no other concern with the ordinary administration of justice throughout the country, should therefore punish the native judges for nonobservance of the edicts, refusal to hear and determine, or for gross partiality and corruption.

Such a government would be too limited in its operations to repress crimes which immediately affect its safety. Infinite would be the means of conspiring against the state condemned by no previous law. While, therefore, the ordinary administration of justice continues in other hands, a political power of punishment must exist in the governor and council, like to that assumed by the prince in the absolute monarchies of Europe. This power might extend to sending Europeans home, and to punish in another manner the native of India †.

\* Whether the distribution of justice might not be rendered more pure and uniform, by giving an appellate jurisdiction to a court in which English judges might preside assisted, by natives, may deserve the attention of the legislature, but to invest Europeans with the original judicature throughout the country would be productive of infinite oppression.

† In all countries, a power of this nature is exerted upon extraordinary occasions. With us, it resides in parliament, and their acts for this purpose are called acts of attainder.

Our government will yet partake the greatest imperfection incident to a despotic state. Its existence can alone be preserved by a numerous army, which experience has ever taught us to think formidable to absolute rulers, whose interests are not blended with those of any order of men. In Bengal, this army is moreover composed of natives, while all dominion throughout the country has been transferred to a few strangers. Independent, therefore, of the encouragement due from every state to the cultivator of the land, without insisting upon the consequent increase of population and commerce, a regard to our own safety requires that we should give the native a permanent interest in the soil, and teach him to consider the preservation of his own fortunes as involved with the safety of his masters'.

Should this arrangement be attempted by granting small portions of land at a moderate rent, should the right of the tenant be evidenced by registers of these pottahs or leases, established in every district, perhaps the security of such a tenure might prove an invitation to other proprietors. Those who possess lands by claims of a different nature might gladly relinquish a part of the profits for a title which could never be questioned. While the peninsula of India swarms with inhabitants, the waste lands of Bengal could not long remain uncultivated. With an improving revenue, the company might remit the imposts upon commerce with their long train of evils; and thus, by simplifying every right, and ascertaining every claim, remove the occasions of oppression. To enforce a prompt administration of justice would not then be difficult, where the proceedings are public, and where the judge could rarely shelter a fraud under the cloak of error. Each individual possessing a sure property in the produce of his toil, industry will diffuse its blessings; and Bengal may reach a height of prosperity, heretofore unknown in India. The wounds which this country has sustained are great, and the severe checks which industry has here received, might, in a more northern climate, almost starve a

\* An additional security might, perhaps, be attained by encouraging the settlement of European soldiers with women of the country. Regulations might easily be suggested, under which their descendants would become an useful colony to Great Britain.

people. But in Bengal, where the demands of nature are few, where manufactures from various causes have been preserved amidst successive revolutions, these losses will be quickly retrieved. While by such means, all orders of men being combined in one common interest, the enemies of Great Britain will be for ever excluded from India, and London become the great emporium of Europe, for the various produce of the East.

The progress to this state of improvement must nevertheless be slow. Sudden changes in property or government are always dangerous, and the hand of power can produce nothing but confusion. Even in laying the foundations of order we must follow the genius of a people, we must attend to their habits, and even respect the prejudices they have imbibed. If, relinquishing the airy schemes of projectors, the wisdom of the British nation should be employed in devising a simple form of government for Bengal; if happy in giving peace to millions, some enlightened minds should watch with parental care over a growing empire; posterity may behold with admiration a noble monument of national humanity, and the praise of arts, of science, and of arms, serve rather to adorn than constitute the future character of the British nation.















